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सं. 43] नई दिल्ली, अक्टूबर 21—अक्टूबर 27, 2007, शनिवार/आश्विन 29—कार्तिक 5, 1929
No. 43] NEW DELHI, OCTOBER 21—OCTOBER 27, 2007, SATURDAY/ASVINA 29—KARTIKA 5, 1929

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए संविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 18 अक्टूबर, 2007

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 18th October, 2007

का.आ. 3132.—केंद्रीय सरकार, एतद्वारा, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कर्नाटक राज्य सरकार सचिवालय, विधान सोध की अधिसूचना सं. एचडी 101 पीसीआर 2007 दिनांक 29 मई, 2007 द्वारा दी गई सहमति से सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का अधिनियम सं. 21) की धारा 67 के अधीन मामला आरसी-2/2007-ईओयू-9/सीबीआई/नई दिल्ली तथा उपर्युक्त अपराध में से एक अथवा अधिक अपराध से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और षडयंत्रों तथा उसी संव्यवहार के अनुक्रम में दिए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराध तथा अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं. 228/34/2007-एवीडी-II]

मनीषा सक्सेना, उप सचिव

4197 GI/2007

(9049)

S.O. 3132.—In exercise of the powers conferred by sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Karnataka Secretariat, Vidhana Souda, vide Notification HD 101 PCR 2007 dated 29th May, 2007, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for investigation of RC2/2007 EOU IX/CBI, New Delhi under section 67 of the information Technology Act, 2000 (Act No. 21 of 2000) and attempts, abetments and conspiracy in relation to or in connection with one or more of the offence mentioned above and any other offence and offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/34/2007-AVD-II]

MANISHA SAXENA, Dy. Secy.

नई दिल्ली, 22 अक्टूबर, 2007

का. आ. 3133.—केंद्रीय सरकार, एतद्वारा, दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 25 की उप-धारा (1-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय अन्वेषण ब्यूरो के अभियोजन अधिकारी श्री अभिलाष कुमार को किसी राज्य अथवा संघ शासित क्षेत्र में सक्षम अधिकारिता वाले न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों के संचालन के लिए सहायक होकर अभियोजक के रूप में नियुक्त करती है।

[सं. 225/40/2007-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

New Delhi, 22nd October, 2007

S.O. 3133.—In exercise of the powers conferred by sub-section (1-A) of Section 25 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Abhilash Kumar, Prosecuting Officer of the Central Bureau of Investigation as Assistant Public Prosecutor for conducting cases instituted by Delhi Special Police Establishment in the courts of competent jurisdiction in any State or Union Territory.

[No. 225/40/2007-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

(केंद्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 4 अक्टूबर, 2007

(आयकर)

का.आ. 3134.—जबकि, आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने, 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू

होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि, मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, जिसका पंजीकृत कार्यालय सं. 26, 8/डी, शेक्सपियर सरानी, डिम्पल कोर्ट, कोलकाता-700017 में है, प्लॉट सं. 61(पी), II फेस, इलेक्ट्रॉनिक सिटी, होसुर रोड, बंगलौर में एक औद्योगिक पार्क का विकास कर रहा है;

और, जबकि, केन्द्र सरकार, ने इस अधिसूचना के अनुबंध में उल्लिखित शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 08-12-2005 के पत्र सं. 15/36/2005-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए उक्त अधिनियम की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा, उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, कोलकाता द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, कोलकाता द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया गया है।

1. (i) औद्योगिक उपक्रम का नाम : आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड,
- (ii) प्रस्तावित स्थान : प्लॉट सं. 61 (पी), II फेस, इलेक्ट्रॉनिक सिटी, होसुर रोड, बंगलौर
- (iii) औद्योगिक पार्क का क्षेत्रफल : 2.86 एकड़ सुपर बिल्ट एरिया - 2,22,893 वर्ग फिट
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्रम सं.	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	8	89	892	892.2	सॉफ्टवेयर आपूर्ति सेवाएं

(v) औद्योगिक उपयोग के लिए : 95%
प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत

(vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 5%

- (vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 3 यूनिटें
- (viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 20,56,47,880
- (ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : 13,50,97,880
- (x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 19,42,12,956
- (xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि : 31-12-2005

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रात्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, कोलकाता उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80झ क की उप-धारा (4) दो खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, कोलकाता ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि

- (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
- (ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, कोलकाता (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स आर जी ए सॉफ्टवेयर सिस्टम्स प्राइवेट लिमिटेड, कोलकाता औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 253/2007/फा. सं. 178/75/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.1)

MINISTRY OF FINANCE**(Department of Revenue)****(CENTRAL BOARD OF DIRECT TAXES)**

New Delhi, the 4th October, 2007

(INCOME-TAX)

S.O. 3134.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) *vide* number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and *vide* number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. RGA Software Systems Private Limited, having registered office at No. 26, 8/D, Shakespeare Sarani, Dimple Court, Kolkata-700017, is developing an Industrial Park, at Plot No. 61 (P), II Phase, Electronic City, Hosur Road, Bangalore;

And whereas the Central Government has approved the said Industrial Park *vide* Ministry of Commerce and

Industry letter No. 15/36/05-IP & ID dated 8-12-2005 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. RGA Software Systems Private Limited, Kolkata as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. RGA Software Systems Private Limited, Kolkata.

1. (i) Name of the Industrial Undertaking : RGA Software System Private Limited
- (ii) Proposed location : Plot No. 61(P), II Phase, Electronic City, Hosur Road, Bangalore
- (iii) Area of Industrial Park : 2.86 Acres
Super Built Area—2,22,893 Square Feet
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

S. No.	NIC Code				Description
	Section	Division	Group	Class	
A	8	89	892	892.2	Software supply services

- (v) Percentage of allocable area earmarked for industrial use : 95%
- (vi) Percentage of allocable area earmarked for commercial use : 5%
- (vii) Minimum number of industrial units : 3 Units
- (viii) Total investments proposed (Amount in Rupees) : 20,56,47,880
- (ix) Investment on built-up space for industrial use (Amount in Rupees) : 13,50,97,880
- (x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 19,42,12,956

- (xi) Proposed date of Commencement of the Industrial Park : 31-12-2005

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O.354(E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.

7. M/s. RGA Software Systems Private Limited, Kolkata shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. RGA Software Systems Private Limited, Kolkata, shall be solely responsible for any repercussions of such invalidity, if:

(i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.

(ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. RGA Software Systems Private Limited, Kolkata, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. RGA Software Systems Private Limited, Kolkata, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 253/2007/F.No. 178/75/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 4 अक्टूबर, 2007

(आयकर)

का.आ. 3135.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग), की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और जबकि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल के नाम से ज्ञात), 2, न्यू कैट रोड, देहरादून, उत्तरांचल, निकट रानीपुर, हरिद्वार, उत्तरांचल में एक औद्योगिक मॉडल टाउन का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 03-10-2005 के पत्र सं. 15/32/2005-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए, उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्द्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा औद्योगिक मॉडल टाउन गठित किए जाने हेतु अनुमोदन प्रदान किया है।

स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल), देहरादून

1. (i) औद्योगिक उपक्रम का नाम : मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले

(ii) प्रस्तावित स्थान : निकट रानीपुर, हरिद्वार, उत्तरांचल

(iii) औद्योगिक मॉडल टाउन का क्षेत्रफल : 2032.07 एकड़

(iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्रम सं	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण
ख	4	—	—	—	बिजली, गैस और पानी

- (v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत : 82.3%

- (vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 9.98%

- (vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 495 यूनिटें

- (viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 165.00 करोड़

- (ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : शून्य

- (x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 165.00 करोड़

- (xi) औद्योगिक मॉडल टाउन के आरंभ होने की प्रस्तावित तिथि : 01-04-2005

2. किसी औद्योगिक मॉडल टाउन में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक मॉडल टाउन के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक मॉडल टाउन में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून उस अवधि के दौरान औद्योगिक मॉडल टाउन का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक मॉडल टाउन के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :

- (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
- (ii) यह उक्त औद्योगिक मॉडल टाउन की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक मॉडल टाउन का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक मॉडल टाउन के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 252/2007/फा. सं. 178/51/2007-आ.क.नि.-I]

जगदीप गोयल, निदेशक (आ.क.नि.-1)

New Delhi, the 4th October, 2007

(INCOME-TAX)

S.O. 3135.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), 2 New Cantt. Road, Dehradun, Uttaranchal, is developing an Industrial Model Town near Ranipur, Haridwar, Uttaranchal;

And whereas the Central Government has approved the said Industrial Model Town vide Ministry of Commerce and Industry letter No. 12/36/2005-IP & ID dated 3-10-2005 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Model Town by M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun :

1. (i) Name of the Industrial Undertaking : State Infrastructure and Development Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), Dehradun
- (ii) Proposed location : Near Ranipur, Haridwar, Uttaranchal
- (iii) Area of Industrial Model Town : 2032.07 acre
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

S. No.	NIC Code				Description
	Section	Division	Group	Class	
A	2 & 3	—	—	—	Manufacturing
B	4	—	—	—	Electricity, gas and water

- (v) Percentage of allocable area earmarked for industrial use : 82.3%
- (vi) Percentage of allocable area earmarked for commercial use : 9.98%
- (vii) Minimum number of industrial units : 495 Units
- (viii) Total investments proposed (Amount in Rupees) : 165.00 Crores
- (ix) Investment on built-up space for industrial use (Amount in Rupees) : Nil
- (x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 165.00 Crores
- (xi) Proposed date of Commencement of the Industrial Model Town : 01-04-2005

2. The minimum investment on infrastructure development in an Industrial Model Town shall not be less than 50% of the total project cost. In the case of an Industrial Model Town which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S. O. 354 (E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Model Town for this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Model Town.

7. M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited,

Dehradun, shall continue to operate the Industrial Model Town during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Model Town is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, shall be solely responsible for any repercussions of such invalidity, if :—

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Industrial Model Town for which approval has already been accorded in the name of another undertaking.

10. In case M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, transfers the operation and maintenance of the Industrial Model Town (i.e., transferor undertaking), to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 alongwith a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun; fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the industrial model town.

[Notification No. 252/2007/F. No. 178/51/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 4 अक्टूबर, 2007

(आयकर)

का.आ. 3136.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80-झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल के नाम से ज्ञात), 2, न्यू कैंट रोड, देहरादून, उत्तरांचल, आई टी पार्क, सहस्त्रधारा रोड, देहरादून, उत्तरांचल-248001 में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 17-03-2006 के पत्र सं. 15/05/2006-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क को अनुमोदित किया है;

अब, इसलिए, उक्त अधिनियम की धारा 80-झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,

केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया गया है।

1. (i) औद्योगिक उपक्रम का नाम : स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल), देहरादून
- (ii) प्रस्तावित स्थान : आई टी पार्क, सहस्त्रधारा रोड, देहरादून, उत्तरांचल-248001
- (iii) औद्योगिक पार्क का क्षेत्रफल : 65 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्रम सं.	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण

(v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत : 100%

(vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : शून्य

(vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 50 यूनिटें

(viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 10.00 करोड़ लगभग

(ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : शून्य

(x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 10.00 करोड़ लगभग

(xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि : 31-03-2006

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं पक्कत हैं।

4. दिनांक 1 अप्रैल 2002 की अधिसूचना सं. का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80-झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80-झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :-

(i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

(ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून (अर्थात् अंतरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता

सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट को संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा परिवर्ष में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 251/2007/फा. सं. 178/53/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.-1)

New Delhi, the 4th October, 2007

(INCOME-TAX)

S.O. 3136.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) *vide* number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and *vide* number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), 2, New Cantt. Road Dehradun, Uttaranchal, is developing an Industrial Park at IT Park, Sahastradhara Road, Dehradun, Uttaranchal-248001;

And whereas the Central Government has approved the said Industrial Park *vide* Ministry of Commerce and Industry letter No. 15/05/2006-IP & ID dated 17-03-2006 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. State Infrastructure and Industrial Development of Uttarakhand Limited, Dehradun :

1. (i) Name of the Industrial Undertaking : State Infrastructure and Industrial Development Corporation of Uttarakhand Limited (earlier known as

State Industrial Development Corporation of Uttarakhand), Dehradun

(ii) Proposed location : IT Park, Sahasradhara Road, Dehradun, Uttarakhand-248001

(iii) Area of Industrial Park : 65 acre

(iv) Proposed activities

Nature of Industrial activity with NIC Code

S. No.	NIC Code				Description
	Section	Division	Group	Class	
A	2 & 3	—	—	—	Manufacturing

(v) Percentage of allocable area earmarked for industrial use : 100.00%

(vi) Percentage of allocable area earmarked for commercial use : Nil

(vii) Minimum number of industrial units : 50 Units

(viii) Total investments proposed (Amount in Rupees) : 10.00 crore approx.

(ix) Investment on built-up space for industrial use (Amount in Rupees) : Nil

(x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 10.00 crore approx.

(xi) Proposed date of Commencement of the Industrial Park : 31-03-2006

S. O. 354 (E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.

7. M/s. State Infrastructure and Industrial Development Corporation of Uttarakhand Limited, Dehradun, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. State Infrastructure and Industrial Development Corporation of Uttarakhand Limited, Dehradun, shall be solely responsible for any repercussions of such invalidity, if:

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of

misinformation or some material information has not been provided in it.

- (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 251/2007/F. No. 178/53/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 5 अक्टूबर, 2007

(आयकर)

का.आ. 3137.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू

होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल के नाम से ज्ञात), 2, न्यू कैंट रोड, देहरादून, उत्तरांचल, आई आई डी सी, सेलाक्वी, देहरादून, उत्तरांचल-248 001 में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 23-02-2006 के पत्र सं. 15/03/2006-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए, उक्त अधिनियम की धारा 80-झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया गया है।

1. (i) औद्योगिक उपक्रम का नाम : स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल), देहरादून
- (ii) प्रस्तावित स्थान : आई आई डी सी, सेलाक्वी, देहरादून, उत्तरांचल -248001
- (iii) औद्योगिक पार्क का क्षेत्रफल : 50 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्रम सं	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण

- (v) औद्योगिक उपयोग के लिए : 94.36%
प्रस्तावित आबंटनीय क्षेत्र
का प्रतिशत
- (vi) वाणिज्यिक उपयोग के लिए : 5.47%
निर्धारित भूमि का प्रतिशत
- (vii) औद्योगिक यूनिटों की : 34 यूनिटें
न्यूनतम संख्या
- (viii) प्रस्तावित कुल निवेश (राशि : 3.00 करोड़
रुपए में) लगभग
- (ix) औद्योगिक उपयोग के लिए : शून्य
निर्मित स्थान पर निवेश
(राशि रुपए में)
- (x) अवसंरचनात्मक विकास पर : 3.00 करोड़
निवेश जिसमें औद्योगिक
उपयोग के लिए निर्मित स्थान
पर निवेश भी शामिल है
(राशि रुपए में)
- (xi) औद्योगिक पार्क के आरंभ : 15-03-2006
होने की प्रस्तावित तिथि

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कांर्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80ए क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 ए क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कांर्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :

(i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

(ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कांर्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कांर्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 254/2007/फा. सं. 178/52/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.-1)

New Delhi, the 5th October, 2007

(INCOME-TAX)

S.O. 3137.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) *vide* number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and *vide* number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), 2 New Cantt. Road, Dehradun, Uttaranchal, is developing an Industrial Park at IIDC, Selaqui, Dehradun, Uttaranchal-248001;

And whereas the Central Government has approved the said Industrial Park *vide* Ministry of Commerce and Industry letter No. 15/03/2006-IP & ID dated 23-02-2006 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. State Infrastructure and Industrial Development of Uttaranchal Limited, Dehradun :

1. (i) Name of the Industrial Undertaking : State Infrastructure and Deveopment Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), Dehradun
- (ii) Proposed location : IIDC, Selaqui, Dehradun, Uttaranchal-248001.
- (iii) Area of Industrial Park : 50 acre
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

S.No.	NIC Code				Description
	Section	Division	Group	Class	
A	2 and 3	—	—	—	Manufacturing
(v)	Percentage of allocable area earmarked for industrial use	:	94.36%		
(vi)	Percentage of allocable area earmarked for commercial use	:	5.47%		
(vii)	Minimum number of industrial units	:	34 Units		
(viii)	Total investments proposed (Amount in Rupees)	:	3.00 crore approx.		
(ix)	Investment on built-up space for industrial use (Amount in Rupees)	:	Nil		
(x)	Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees)	:	3.00 crore approx.		
(xi)	Proposed date of commencement of the Industrial Park	:	15-03-2006		

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central tax laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.

7. M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, shall be solely responsible for any repercussions of such invalidity, if:

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 254/2007/F. No. 178/52/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 5 अक्टूबर, 2007

(आयकर)

का.आ. 3138.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल के नाम से ज्ञात), 2, न्यू कैट रोड, देहरादून, उत्तरांचल, पंतनगर इंडस्ट्रियल एस्टेट, जिला-रूद्रपुर, उत्तरांचल में एक औद्योगिक मॉडल टाउन का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 10-10-2005 के पत्र सं. 15/33/2005-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क को अनुमोदित किया है;

अब, इसलिए उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया गया है।

1. (i) औद्योगिक उपक्रम का नाम : स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड (इससे पहले स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल), देहरादून
- (ii) प्रस्तावित स्थान : पंतनगर इंडस्ट्रियल एस्टेट, जिला-रूद्रपुर, उत्तरांचल
- (iii) औद्योगिक पार्क का क्षेत्रफल : 3137.5 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्रम सं.	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण
ख	4	—	—	—	इलेक्ट्रिसिटी, गैस और पानी

- (v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत : 83.4%
- (vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 6.4%
- (vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 315 यूनिटें
- (viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 295.00 करोड़
- (ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : शून्य
- (x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 240.00 करोड़
- (xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि : 01-04-2005

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कंपनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :

- आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
- यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स स्टेट इंफ्रास्ट्रक्चर एंड इंडस्ट्रियल डवलपमेंट कार्पोरेशन ऑफ उत्तरांचल लिमिटेड, देहरादून औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।-

[अधिसूचना सं. 255/2007/फा. सं. 178/108/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.1)

New Delhi, the 5th October, 2007

(INCOME-TAX)

S.O. 3138.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), 2, New Cantt Road, Dehradun, Uttaranchal,

is developing an Industrial Park at Pantnagar Industrial Estate, District Rudrapur-Uttaranchal;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/33/2005-IP & ID dated 10-10-2005 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. State Infrastructure and Industrial Development Corporation of Uttaranchal Limited, Dehradun, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. State Infrastructure and Industrial Development of Uttaranchal Limited, Dehradun :

- I. (i) Name of the Industrial Undertaking : State Infrastructure and Industrial Development Corporation of Uttaranchal Limited (earlier known as State Industrial Development Corporation of Uttaranchal), Dehradun
- (ii) Proposed location : Pantnagar Industrial Estate, District Rudrapur, Uttaranchal
- (iii) Area of Industrial Park : 3137.5 acre
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

S. No.	NIC Code				Description
	Section	Division	Group	Class	
A	2 & 3	—	—	—	Manufacturing
B	4	—	—	—	Electricity, Gas and Water

(v) Percentage of allocable area earmarked for industrial use : 83.4%

(vi) Percentage of allocable area earmarked for commercial use : 6.4%

(vii) Minimum number of industrial units : 315 Units

(viii) Total investments proposed (Amount in Rupees) : 295.00 crore

- (ix) Investment on built-up space : Nil
for industrial use
(Amount in Rupees)
- (x) Investment on Infrastructure : 240.00 crore
Development including
investment on built-up space
for industrial use
(Amount in Rupees)
- (xi) Proposed date of : 1-4-2005
Commencement of the
Industrial Park

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S. O. 354 (E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.

7. M/s. State Infrastructure and Industrial Development Corporation of Uttarakhand Limited, Dehradun, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. State Infrastructure and Industrial Development Corporation of Uttarakhand Limited, Dehradun, shall be solely responsible for any repercussions of such invalidity, if:

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. State Infrastructure and Industrial Development Corporation of Uttarakhand Limited, Dehradun, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. State Infrastructure and Industrial Development Corporation of Uttarakhand Limited, Dehradun, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 255/2007/F. No. 178/108/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 16 अक्टूबर, 2007

(आयकर)

का.आ. 3139.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80-झ क की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ) दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और जबकि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लि. जिसका पंजीकृत कार्यालय उद्योग भवन, तिलक मार्ग, जयपुर-302005 में है, इंडस्ट्रियल एरिया ग्रोथ सेन्टर गांवमावल, वासवा आबू रोड, जिला सिरौही, राजस्थान-307026 में ग्रोथ सेन्टर का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 10-4-2007 के पत्र सं. 15/141/2005-आई डी के अन्तर्गत उक्त ग्रोथ सेन्टर को अनुमोदित किया है;

अब इसलिए उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा ग्रोथ सेन्टर गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर
- (ii) प्रस्तावित स्थान : इंडस्ट्रियल एरिया, ग्रोथ सेन्टर, गांव-मावल, वासवा, आबू रोड, जिला, सिरौही, राजस्थान-307026
- (iii) ग्रोथ सेन्टर का क्षेत्रफल : 698 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

एन आई सी संहिता					विवरण
क्रम सं.	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण
(v)	औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत	:	65.27%		उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में)
(vi)	वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत	:	9.30%	(xi) ग्रोथ सेन्टर के आरंभ होने की प्रस्तावित तिथि	: 31-03-2006
(vii)	औद्योगिक यूनिटों की न्यूनतम संख्या	:	11 यूनिटें		
(viii)	प्रस्तावित कुल निवेश (राशि रुपए में)	:	3267.56 लाख		
(ix)	औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में)	:	शून्य		
(x)	अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक	:	2476.27 लाख		

2. किसी ग्रोथ सेन्टर में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे ग्रोथ सेन्टर जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेज, दूषित जल शोधन सुविधा, टेलिकॉम-नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएँ जो

औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 को का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी ग्रोथ सेन्टर के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के ग्रोथ सेन्टर में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर उस अवधि के दौरान ग्रोथ सेन्टर का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त ग्रोथ सेन्टर के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लि., जयपुर ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :

- (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
- (ii) यह उक्त ग्रोथ सेन्टर की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय,

औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 को उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, ग्रोथ सेन्टर के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 257/2007/फा. सं. 178/102/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.)

New Delhi, the 16th October, 2007

(INCOME-TAX)

S.O. 3139.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. Rajasthan State Industrial Development and Investment Corporation Limited, having registered office at Udyog Bhawan, Tilak Marg, Jaipur- 302005 is developing a Growth Centre at Industrial Area, Growth Centre Village Mawal, Vasda, Abu Road, District-Sirohi, Rajasthan-307026;

And whereas the Central Government has approved the said Growth Centre vide Ministry of Commerce and Industry letter No. 15/141/2005- ID dated 10-4-2007 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, as Growth Centre for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of a Growth Centre by M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur.

1. (i) Name of the Industrial Undertaking : Rajasthan State Industrial Development and Investment Corporation Limited

(ii) Proposed location : Industrial Area, Growth Centre Village-Mawal, Vasda, Abu Road, District-Sirohi, Rajasthan-307026

(iii) Area of Industrial Park : 698 Acres.

(iv) Proposed activities

Nature of Industrial activity with NIC Code

NIC Code					Description
S. No.	Section	Division	Group	Class	
A	2 & 3	—	—	—	Manufacturing

- (v) Percentage of allocable area earmarked for industrial use : 65.27%
- (vi) Percentage of allocable area earmarked for commercial use : 9.80%
- (vii) Minimum number of industrial units : 11 Units
- (viii) Total investments proposed (Amount in Rupees) : 3267.56 lakhs
- (ix) Investment on built-up space for industrial use (Amount in Rupees) : Nil
- (x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 2476.27 lakhs
- (xi) Proposed date of Commencement of the Industrial Park : 31-03-2006

2. The minimum investment on infrastructure development in a Growth Centre shall not be less than 50% of the total project cost. In the case of a Growth Centre which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S. O. 354 (E), dated the 1st April, 2002, shall occupy more

than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Growth Center.

7. M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall continue to operate the Growth Centre during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Growth Centre is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall be solely responsible for any repercussions of such invalidity, if

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Growth Centre for which approval has already been accorded in the name of another undertaking.

10. In case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, transfers the operation and maintenance of the Growth Centre (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 alongwith a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Growth Centre.

[Notification No. 257/2007/F. No. 178/102/2007-ITA-I]

JAGDEEP GOEL, Director (ITA.I)

नई दिल्ली, 16 अक्टूबर, 2007

(आयकर)

का.आ. 3140.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ) दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

एन आई सी संहिता					विवरण
क्रम सं.	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण
(v)	औद्योगिक उपयोग के लिए प्रस्तावित : 97.86%			(ix)	औद्योगिक उपयोग के लिए : शून्य
	आबंटनीय क्षेत्र का प्रतिशत				निर्मित स्थान पर निवेश
(vi)	वाणिज्यिक उपयोग के लिए : 2.13%				(राशि रुपए में)
	निर्धारित भूमि का प्रतिशत			(x)	अवसंरचनात्मक विकास पर : 119.10 लाख
(vii)	औद्योगिक यूनिटों की : 59 यूनिटें				निवेश जिसमें औद्योगिक
	न्यूनतम संख्या				उपयोग के लिए निर्मित स्थान
(viii)	प्रस्तावित कुल निवेश (राशि : 246.10 लाख				पर निवेश भी शामिल है
	रुपए में)				(राशि रुपए में)

संख्या का.आ. 354(अ) के ज़रिए भारत सरकार वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि, मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड जिसका पंजीकृत कार्यालय उद्योग भवन, तिलक मार्ग, जयपुर-302005 में है, इंडस्ट्रियल एरिया, रामपुरा मेवातियान, व्यावर-III, जिला-अजमेर, राजस्थान में एक औद्योगिक पार्क का विकास कर रहा है;

और, जबकि, केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 10-04-2007 के पत्र सं. 15/110/2005-आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए, उक्त अधिनियम की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्द्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड,
- (ii) प्रस्तावित स्थान : इंडस्ट्रियल एरिया, रामपुरा मेवातियान, व्यावर-III, जिला-अजमेर, राजस्थान
- (iii) औद्योगिक पार्क का क्षेत्रफल : 45.46 एकड़
- (iv) प्रस्तावित कार्यकलाप

(xi) औद्योगिक पार्क के आरंभ : 01-04-2001
होने की प्रस्तावित तिथि

2. इस औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 48.39% से कम नहीं होगा। क्योंकि यह मामला अधिकार प्राप्त समिति द्वारा अनुमोदित किया गया है, जैसा कि यह राज्य सरकार से संबंधित है और अवसंरचना विकास पर प्रस्तावित निवेश में गिरावट 5% से कम है, जो औद्योगिक पार्क स्कीम, 2002 के तहत 50% की अपेक्षा के विरुद्ध परियोजना की कुल लागत का 48.39% है।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएँ जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50 से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक-या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल है, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा (1)(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लि., जयपुर उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लि., जयपुर ऐसी किसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि

(i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

(ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लि., जयपुर (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुसंधान किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 को उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसमें इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लि., जयपुर औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 258/2007/फा. सं. 178/102/2007-आ.क.नि.-1]
जगदीश गोयल, निदेशक (आ.क.नि.)

New Delhi, the 16th October, 2007

(INCOME-TAX)

S.O. 3140.—Whereas, the Central Government in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And, whereas, M/s. Rajasthan State Industrial Development and Investment Corporation Limited, having registered office at Udyog Bhawan, Tilak Marg, Jaipur-302005 is developing an Industrial Park, at Industrial Area Rampura Mewatiyan, Beawar-III, District-Ajmer, Rajasthan;

And, whereas, the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/110/2005-ID dated 10-04-2007 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur.

1. (i) Name of the Industrial Undertaking : Rajasthan State Industrial Development and Investment Corporation Limited.
- (ii) Proposed location : Industrial Area Rampura, Mewtiyan, Beawar-III, District-Ajmer, Rajasthan

- (iii) Area of Industrial Park : 45.36 Acre
- (iv) Proposed activities
- (v) Percentage of allocable area : 97.86% earmarked for industrial use
- (vi) Percentage of allocable area : 2.13% earmarked for commercial use
- (vii) Minimum number of industrial units : 59 Units
- (viii) Total investments proposed (Amount in Rupees) : 246.10 lakhs

Nature of Industrial activity with NIC Code

S. No.	Section	NIC Code Division	Group	Class	Description
A	2 and 3	—	—	—	Manufacturing
(ix)	Investment on built up space for industrial use (Amount in Rupees)	: Nil			of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.
(x)	Investment on Infrastructure Development including investment on built up space for industrial use (Amount in Rupees)	: 119.10 lakhs			6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.
(xi)	Proposed date of Commencement of the Industrial Park	: 1-04-2001			7. M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 48.39% of the total project cost as this case has been approved by the Empowered Committee, as it pertains to State Government and shortfall is less than 5% in the proposed investment on infrastructure development, which is 48.39% of the total investment of the project against 50% required as per industrial Park Scheme, 2002.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central tax laws.

5. Necessary approvals, including that for foreign direct investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall be solely responsible for any repercussions of such invalidity, if

- the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. Rajasthan State Industrial Development Investment Corporation Limited, Jaipur, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog

Bhawan, New Delhi-11 alongwith a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Rajasthan State Industrial Development Investment Corporation Limited, Jaipur, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 258/2007/F. No. 178/102/2007-ITA-I]

JAGDEEP GOEL, Director (ITA.I)

नई दिल्ली, 16 अक्टूबर, 2007

(आयकर)

का.आ. 3141.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ) दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लि. जिसका पंजीकृत कार्यालय उद्योग भवन,

तिलक मार्ग, जयपुर-302005 में है, इंडस्ट्रियल एरिया घरसाना, फेस-2, आर आईआईसीओ घरसाना, जिला-श्रीगंगानगर, राजस्थान-335002 में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 10-4-2007 के पत्र सं. 15/147/2005-आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए, उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड
- (ii) प्रस्तावित स्थान : इंडस्ट्रियल एरिया, घरसाना, फेस-2, आर आई आई सी ओ लि., घरसाना, जिला-श्रीगंगानगर, राजस्थान-335002
- (iii) औद्योगिक पार्क का क्षेत्रफल : 124.96 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

एन आई सी संहिता					विवरण
क्रम सं.	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण
(v)	औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत				: 99.74%
(vi)	वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत				: 00.26%
(vii)	औद्योगिक यूनिटों की न्यूनतम संख्या				: 17 यूनिटें
(viii)	प्रस्तावित कुल निवेश (राशि रुपए में)				: 262.70 लाख
(ix)	औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में)				: शून्य
(x)	अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में)				: 212.60 लाख
(xi)	औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि				: 31-03-2006

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलामूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएँ जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1 (vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स राजस्थान स्टेट इंडस्ट्रियल डवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उपधारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1 (xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उपधारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अंतर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स राजस्थान स्टेट इंडस्ट्रियल डवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर ऐसी अवैधता की किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि

(i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

(ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम के पहले ही प्रदान किया गया है।

10. यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डवलपमेंट कार्पोरेशन लिमिटेड, जयपुर (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डवलपमेंट एंड इन्वेस्टमेंट लिमिटेड, जयपुर औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगाना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 259/2007/फा. सं. 178/102/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.1)

New Delhi, the 16th October, 2007

(INCOME-TAX)

S.O. 3141.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. Rajasthan State Industrial Development and Investment Corporation Limited, having registered office at Udyog Bhawan, Tilak Marg, Jaipur- 302005 is developing an Industrial Park at Industrials Area Gharsana, Phase-2nd, RIICO Ltd., Gharsana, Dist.-Sriganganagar, Rajasthan-335002;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/147/2005- ID dated 10-4-2007 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, as an industrial park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur.

1. (i) Name of the Industrial Undertaking : Rajasthan State Industrial Development and Investment Corporation Limited
- (ii) Proposed location : Industrial Area, Gharsana, Phase-2nd, RIICO Ltd. Gharsana, Distt. Sriganganagar, Rajasthan-335002
- (iii) Area of Industrial Park : 124.96 Acre
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

S. No.	Section	NIC Code Division	Group	Class	Description
A	2 and 3	—	—	—	Manufacturing

- (v) Percentage of allocable area earmarked for industrial use : 99.74%
- (vi) Percentage of allocable area earmarked for commercial use : 00.26%
- (vii) Minimum number of industrial units : 17 Units
- (viii) Total investments proposed (Amount in Rupees) : 262.70 lakhs
- (ix) Investment on built-up space for industrial use (Amount in Rupees) : Nil
- (x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 212.60 lakhs
- (xi) Proposed date of commencement of the Industrial Park : 31-03-2006

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S. O. 354 (E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para I(vii) of this Notification, are located in the Industrial Park.

7. M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall be solely responsible for any repercussions of such invalidity, if :

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. in case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 alongwith a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 259/2007/F. No. 178/102/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 16 अक्टूबर, 2007

(आयकर)

का.आ. 3142.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के ज़रिए भारत सरकार वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लि. जिसका पंजीकृत कार्यालय उद्योग भवन, तिलक मार्ग, जयपुर-302005 में है, फ्लैटिड कॉम्प्लैक्स फॉर सॉफ्टवेयर टेक्नोलॉजी पार्क, सीतापुरा, जयपुर, राजस्थान-302022 में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 10-4-2007 के पत्र सं. 15/194/2005-आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए उक्त अधिनियम की धारा 80 झ क की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड
- (ii) प्रस्तावित स्थान : फ्लैटिड कॉम्प्लैक्स फॉर सॉफ्टवेयर टेक्नोलॉजी पार्क, सीतापुरा, जयपुर, राजस्थान-302022
- (iii) औद्योगिक पार्क का क्षेत्रफल : 1580 वर्ग मीटर
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

एन आई सी संहिता					विवरण
क्रम सं.	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 एवं 3	—	—	—	विनिर्माण

(v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत	: 100%
(vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत	: शून्य
(vii) औद्योगिक यूनिटों की न्यूनतम संख्या	: 20 यूनिटें
(viii) प्रस्तावित कुल निवेश (राशि रुपए में)	: 339.78 लाख
(ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में)	: 312.65 लाख
(x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में)	: 312.65 लाख
(xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि	: मार्च, 2000

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354 (अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :

(i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

(ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट को संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 260/2007/फा. सं. 178/102/2007-आ.क.नि.-I]

जगदीप गोयल, निदेशक (आ.क.नि.-I)

New Delhi, the 16th October, 2007

(INCOME-TAX)

S.O. 3142.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) *vide* number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and *vide* number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. Rajasthan State Industrial Development and Investment Corporation Limited, having registered office at Udyog Bhawan, Tilak Marg, Jaipur- 302005 is developing an Industrial Park at Flatted Complex for Software Technology Park, Sitapura, Jaipur, Rajasthan-302022.

And whereas the Central Government has approved the said Industrial Park *vide* Ministry of Commerce and Industry letter No. 15/194/2005- ID dated 10-4-2007 subject

to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an industrial Park by M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur.

1. (i) Name of the Industrial Undertaking : Rajasthan State Industrial Development and Investment Corporation Limited
- (ii) Proposed location : Flatted Complex for Software Technology Park, Sitapura, Jaipur, Rajasthan-302022
- (iii) Area of Industrial Park : 1580 Sqm.
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

NIC Code					Description
S. No.	Section	Division	Group	Class	
A	2 & 3	—	—	—	Manufacturing

(v) Percentage of allocable area earmarked for industrial use : 100%

(vi) Percentage of allocable area earmarked for commercial use : Nil

(vii) Minimum number of industrial units : 20 Units

(viii) Total investments proposed (Amount in Rupees) : 339.78 lakhs

(ix) Investment on built-up space for industrial use (Amount in Rupees) : 312.65 lakhs

(x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 312.65 lakhs

(xi) Proposed date of Commencement of the Industrial Park : March 2000

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S. O. 354 (E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.

7. M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall be solely responsible for any repercussions of such invalidity, if:

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 alongwith a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002-

should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 260/2007/F.No. 178/102/2007-ITA-I]

JAGDEEP GOEL, Director (ITA-I)

नई दिल्ली, 16 अक्टूबर, 2007

(आयकर)

का.आ. 3143.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के ज़रिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354 (अ) के ज़रिए भारत सरकार वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड जिसका पंजीकृत कार्यालय उद्योग भवन, तिलक मार्ग, जयपुर-302005 में है, इंडस्ट्रियल एरिया शियोगंज (विस्तार), गांव-केशवपुरा, शियोगंज, जिला सिरोंही, राजस्थान में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 10-4-2007 के पत्र सं. 15/142/2005-आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

अब, इसलिए उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कारपोरेशन लिमिटेड, जयपुर द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड गांव-शियोगंज, जिला-सिरोही, राजस्थान।
- (ii) प्रस्तावित स्थान : इंडस्ट्रियल एरिया शियोगंज (विस्तार), (iii) औद्योगिक पार्क का क्षेत्रफल : 104.80 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

एन आई सी संहिता		विवरण
क्रम सं.	अनुभाग	प्रभाग
क	2 एवं 3	—
		समूह
		श्रेणी
		विनिर्माण

(v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत : 93.54%

(vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 6.46%

(vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 11 यूनिटें

(viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 396.61 लाख

(ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : शून्य

(x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 274.55 लाख

(xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि : 31-03-2006

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354 (अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कॉलम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों जिनमें विदेशी निवेश संवर्धन बोर्ड के द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश अथवा भारतीय रिजर्व बैंक अथवा यथा समय प्रवृत्त किसी कानून के अन्तर्गत विनिर्दिष्ट कोई प्राधिकरण भी शामिल हैं, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1 (vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1 (xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध हो जाएगा और मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर ऐसी अवैधता के किसी भी परिणाम के लिए स्वयं ही जिम्मेदार होगा, यदि :

- (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

- (ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एंड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 261/2007/फा. सं. 178/102/2007-आ.क.नि.-1]

जगदीप गोयल, निदेशक (आ.क.नि.-1)

New Delhi, the 16th October, 2007

(INCOME-TAX)

S.O. 3143.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry

of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. Rajasthan State Industrial Development and Investment Corporation Limited, having registered office at Udyog Bhawan, Tilak Marg, Jaipur- 302 005 is developing an Industrial Park at Industrial Area Sheoganj (Extn.), Village-Kesharpura, Sheoganj, District-Sirohi, Rajasthan;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/142/2005- ID dated 10-4-2007 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur.

- I. (i) Name of the Industrial Undertaking : Rajasthan State Industrial Development and Investment Corporation Limited
- (ii) Proposed location : Industrial Area Sheoganj (Extn.), Village-Sheoganj, District-Sirohi, Rajasthan
- (iii) Area of Industrial Park : 104.80 Acre
- (iv) Proposed activities

Nature of Industrial activity with NIC Code

NIC Code					Description
S. No.	Section	Division	Group	Class	
A	2 & 3	—	—	—	Manufacturing

- (v) Percentage of allocable area earmarked for industrial use : 93.54%
- (vi) Percentage of allocable area earmarked for commercial use : 6.46%
- (vii) Minimum number of industrial units : 11 Units
- (viii) Total investments proposed (Amount in Rupees) : 396.61 lakhs
- (ix) Investment on built-up space for industrial use (Amount in Rupees) : Nil
- (x) Investment on Infrastructure Development including investment on built-up space for industrial use (Amount in Rupees) : 274.55 lakhs
- (xi) Proposed date of Commencement of the Industrial Park : 31-3-2006

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S. O. 354 (E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.

5. Necessary approvals, including that for Foreign Direct Investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1(vii) of this Notification, are located in the Industrial Park.

7. M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80-IA of the Income-tax Act, 1961.

9. The approval will be invalid and M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, shall be solely responsible for any repercussions of such invalidity, if:

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 alongwith a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Rajasthan State Industrial Development and Investment Corporation Limited, Jaipur, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 261/2007/F. No. 178/102/2007-ITA-I]

JAGDEEP GOEL, Director(ITA-I)

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3144.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड. के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनार्थ दिनांक 1-4-2006 से संगठन सीताराम भारतीय इन्स्टीट्यूट ऑफ साइन्स एण्ड रिसर्च, कोलकाता को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात्:-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग सामाजिक विज्ञानों में अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से सामाजिक विज्ञान अथवा सांख्यिकीय अनुसंधान में अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन:-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5 ग और 5 ड. के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 263/2007/फा. सं. 203/53/2007-आ.क.नि.-II]

सुरेन्द्र पाल, अवर सचिव

New Delhi, the 22nd October, 2007

S.O. 3144.—It is hereby notified for general information that the organization Sitaram Bhartia Institute

of Science and Research, Kolkata, has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2006 in the category of 'Other Institution', partly engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said rules.

[Notification No. 263/2007/F. No. 203/53/2007/ITA-II]

SURINDER PAL, Under Secy.

केन्द्रीय आर्थिक आसूचना ब्यूरो

(कोफेपोसा एकक)

आदेश

नई दिल्ली, 28 अगस्त, 2007

का.आ. 3145.—अतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उप-धारा के अधीन आदेश फाइल सं. 673/02/2007-सी.यू.एस. VIII, दिनांक 27-07-2007 को जारी किया और यह निर्देश दिया कि श्री थंलाबिक, निवासी-पियानडेंगा

बिल्डिंग, इलेक्ट्रिक वेंज, आइजॉल (मिजोरम), (स्थायी पता : संगउ-II थाना-संगउ, जिला-लॉगटलाई, मिजोरम), को निरुद्ध कर लिया जाए और जिला कारागार, शिलांग में अभिरक्षा में रखा जाए ताकि उन्हें भविष्य में चीजों की तस्करी करने से रोका जा सके।

2. अतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को छिपा रखा है जिससे यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस महानिदेशक, पुलिस मुख्यालय, शिवाजी टीला खतला, आइजॉल, मिजोरम के सम्मुख उपस्थित हो।

[फा. सं. 673/02/2007-सी.यू.एस. VIII]

एन. राजगोपालन, अवर सचिव (कोफेपोसा)

CENTRAL ECONOMIC INTELLIGENCE BUREAU

(COFEPOSA Unit)

ORDER

New Delhi, the 28th August, 2007

S.O. 3145.—Whereas the Joint Secretary to the Government of India, specially empowered under Sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/02/2007-Cus. VIII, dated 27-07-2007 under the said Sub-section directing that Shri Thalabik, R/o Piandenga Building, Electric Veng, Aizawl (Mizoram), (Permanent Address : Sangau-II, P. S. Sangau, District Lawngtlai, Mizoram), be detained and kept in custody in the District Jail, Shillong with a view to preventing him from smuggling goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the powers conferred by Clause (b) of Sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Director General of Police, Police Headquarters, Shivaji Tilla Khatla, Aizawl, Mizoram within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/02/2007-Cus. VIII]

N. RAJAGOPALAN, Under Secy. (COFEPOSA)

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 19 अक्टूबर, 2007

का. आ. 3146.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार वित्त मंत्रालय, आर्थिक कार्य विभाग के 26 जुलाई, 1989 के सं. का. आ. 13 का अतिक्रमण करते हुए, ऐसे अतिक्रमण से पहले किए गये कार्यों और करने के लिए छोड़े गए कार्यों को छोड़कर तथा 20 जनवरी, 1997 की अधिसूचना सं. 15-11-96-बीओए के अनुक्रम में, केन्द्रीय सरकार एतद्द्वारा निम्नलिखित सारणी के कालम (1) में उल्लिखित उन अधिकारियों को नियुक्त करती है जो सरकार के राजपत्रित अधिकारियों

के स्तर के समकक्ष अधिकारी हों और उक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारी (इस्टेट ऑफिसर) होंगे। ये अधिकारी उक्त अधिनियम द्वारा प्रदत्त शक्तियों का प्रयोग करेंगे तथा उक्त अधिनियम के अधीन उक्त सारणी के कालम (2) में उल्लिखित सरकारी स्थानों के संबंध में सम्पदा अधिकारियों को सौंपे गए कार्यों को पूरा करेंगे।

सारणी

अधिकारी का पद	सरकारी स्थानों की श्रेणियां और क्षेत्राधिकार की स्थानीय सीमाएं
(1)	(2)
(1) प्रभारी अधिकारी (महाप्रबंधक) भारतीय रिजर्व बैंक, देहरादून	भारतीय रिजर्व बैंक का अथवा उसके द्वारा या उसकी ओर से देहरादून में पढ़ते पर लिया गया अवस्थित स्थान
(2) प्रभारी अधिकारी (महाप्रबंधक) भारतीय रिजर्व बैंक, रायपुर	भारतीय रिजर्व बैंक का अथवा उसके द्वारा या उसकी ओर से रायपुर में पढ़ते पर लिया गया अवस्थित स्थान

[फा. सं. 65(1)/2007-बीओ II]

एस. गोपाल कृष्ण, अवर सचिव

(Department of Financial Services)

New Delhi, the 19th October, 2007

S.O. 3146.—In exercise of the powers conferred by Section 3 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs No. S. O. 13 dated 26th July, 1989 except in respect of things done or omitted to be done before such supersession, and in continuation of the Notification No. 15/11/96-BOA dated 20th January, 1997, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being officer equivalent to the rank of a Gazetted Officer of Government to be Estate Officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the Estate Officer by or under the said Act in respect of the public premises specified in column (2) of the said table.

TABLE

Designation of the Officer	Categories of Public premises and local limits of jurisdiction
(1)	(2)
The Officer-in-Charge (General Manager) Reserve Bank of India, Dehradun.	Premises belonging to, or taken on lease by, or on behalf of the the Reserve Bank of India, in Dehradun.
The Officer-in-Charge (General Manager) Reserve Bank of India, Raipur.	Premises belonging to, or taken on lease by, or on behalf of the Reserve Bank of India, in Raipur.

[F. No. 65(1)/2007-BO. II]

S. GOPAL KRISHNA, Under Secy.

नई दिल्ली, 19 अक्टूबर, 2007

का. आ. 3147.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि बैंककारी विनियमन अधिनियम, 1949 की धारा 10(1) (ग)(i) के उपबंध श्री एम. वेणुगोपालन, अध्यक्ष एवं मुख्य कार्यकारी अधिकारी, फेडरल बैंक पर उस सीमा तक लागू नहीं होंगे, जहां तक उनका संबंध आई डी बी आई-फॉर्टिस लाइफ इंश्योरेंस कंपनी लिमिटेड के निदेशक मंडल में नामांकन होने से है।

[फा. सं. 18/2/2006-बीओए]

डी. पी. भारद्वाज, अवर सचिव

New Delhi, the 19th October, 2007

S.O. 3147.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of Reserve Bank of India, hereby declares that the provisions of Section 10(1)(c)(i) of the Banking Regulation Act, 1949 shall not apply to Shri M. Venugopalan, Chairman & CEO, Federal Bank in so far as they relate to his nomination to the Board of IDBI-Fortis Life Insurance Company Ltd.

[F.No. 18/2/2006-BOA]

D. P. BHARDWAJ, Under Secy.

नई दिल्ली, 23 अक्टूबर, 2007

का. आ. 3148.—राष्ट्रीयकृत बैंक (प्रबन्धन एवं प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 9 के उप खण्ड (2) (क) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उप धारा (3) के खंड (ड) द्वारा प्रदत्त शक्तियों का करते हुए, केन्द्रीय सरकार, एतद्वारा श्री पी. शंतिराम शेटी, लिपिक, विजया बैंक हालसुरे, बेंगलुरु को विजया बैंक के निदेशक बोर्ड में कर्मकार कर्मचारी निदेशक के रूप में नियुक्त करती है। वे 2 नवंबर, 2007 से तीन वर्षों की अवधि के लिए और उसके बाद उनके उत्तराधिकारी की विधिवत् नियुक्ति होने तक या उनके विजया बैंक के कर्मकार कर्मचारी बने रहने तक या अगला आदेश होने तक, जो भी पहले हो, इस पद पर बने रहेंगे बशर्ते कि वे छः वर्षों से अधिक अवधि तक इस पद पर लगातार बने नहीं रह सकते हैं।

[फा. सं. 15/1/2007-आईआर]

राजेन्द्र सूद, अवर सचिव

New Delhi, the 23rd October, 2007

S.O. 3148.—In exercise of the powers conferred by clause (e) of the Sub-Section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with Sub-Clause (2) (a) of Clause 9 of the Nationalized Banks (Management and Miscellaneous) Scheme, 1980, the Central Government hereby appoints Shri P. Shantharam Shetty, Clerk, Vijaya Bank, Halasur, Bangalore as 'workmen Employee Director', on the Board of Directors of Vijaya Bank, for a period of three years, with effect from, 2nd November, 2007 and thereafter until his successor is appointed or till he ceases to be a workman employee of Vijaya Bank or until further orders, whichever is the earliest, provided that he will not hold office continuously, for a period exceeding six years.

[F.No. 15/1/2007-IR]

RAJINDER SOOD, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 21 सितम्बर, 2007

का. आ. 3149.—भारत आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "गुरु घासीदास विश्वविद्यालय" और उसकी प्रविष्टियों के बाद "गुरु गोबिंद सिंह इंद्रप्रस्थ विश्वविद्यालय" जोड़ा जाएगा और शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "गुरु गोबिंद सिंह इंद्रप्रस्थ विश्वविद्यालय" के सामने तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे निम्नलिखित अंतः स्थापित किया जाएगा, अर्थात्:—

(2)	(3)
बैचलर ऑफ मेडिसिन एंड बैचलर ऑफ सर्जरी	एम. बी. बी. एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गुरु गोबिंद सिंह इंद्रप्रस्थ विश्वविद्यालय द्वारा वर्धमान महावीर मेडिकल कालेज, नई दिल्ली में प्रशिक्षण प्राप्त कर रहे छात्रों को दी गई हो)।

[संख्या यू-12012/37/2000-एम.ई. (नीति-II)]

एस. के. मिश्र, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 21st September, 2007

S.O. 3149.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule after "Guru Ghasidas University" and entires therto "Guru Gobind Singh Indraprastha University" shall be added and against "Guru Gobind Singh Indraprastha University, Delhi" under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], and under the heading "Abbreviation for Registration" [hereinafter referred to as column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of surgery	M.B.B.S. (This shall be a recognized medical qualification when granted by Guru Gobind Singh Indraprastha

(2)	(3)
	University in respect of students of being trained at Vardhaman Mahavir Medical College, New Delhi).

[No.U-12012/37/2000-ME(P-II)]

S. K. MISHRA, Under Secy.

नई दिल्ली, 27 सितम्बर, 2007

का. आ. 3150.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्द्वारा निम्नलिखित और संशोधन करती है, अर्थात्:-

भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 की प्रथम सूची में सम्मिलित "एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश" द्वारा प्रदान की गई "एमबीबीएस" अहर्ता के सामने निम्नलिखित जोड़ा जाएगा :-

"यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह गवर्नमेंट मेडिकल कालेज, अनंतपुर, आंध्र प्रदेश द्वारा प्रदान की गई हो।"

[संख्या यू -12012/72/2000-एम.ई.(पी-II)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 27th September, 2007

S.O. 3150.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

Against the "MBBS" qualification granted by "NTR University of Health Sciences, Vijaywada, Andhra Pradesh" Included in the First Schedule to Indian Medical Council Act, 1956 the following shall be added :—

"It shall be a recognized medical qualification when granted to students being trained at Government Medical College, Anantpur, Andhra Pradesh."

[No.U-12012/72/2000-ME(P-II)]

S. K. MISHRA, Under Secy.

नई दिल्ली, 16 अक्टूबर, 2007

का. आ. 3151.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्द्वारा निम्नलिखित और संशोधन करती है, अर्थात्:-

उक्त अनुसूची में -

(क) "तमिलनाडु डा. एम. जी. आर. विश्वविद्यालय, चेन्नई" के सामने 'मान्यताप्राप्त चिकित्सा अहर्ता' शीर्षक के अंतर्गत [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित], अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके पश्चात् स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

(2)	(3)
"डाक्टर आफ मेडिसिन (मनश्चिकित्सा)"	एमडी (मनश्चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह अगस्त, 2005 में अथवा उसके बाद स्टैनली मेडिकल कालेज, चेन्नई द्वारा प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (विकृति विज्ञान)"	एमडी (विकृति विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह सितम्बर, 2006 में अथवा उसके पश्चात् स्टैनली मेडिकल कालेज, चेन्नई द्वारा प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (सूक्ष्मजीवविज्ञान)"	एमडी (सूक्ष्मजीवविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह पीएसजी इंस्टीट्यूट आफ मेडिकल साइंसेज एंड रिसर्च, कोयम्बटूर द्वारा मार्च, 2006 में या उसके बाद प्रदान की गई है)।
"डाक्टर आफ मेडिसिन (विकृतिविज्ञान)"	एमडी (विकृतिविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह पीएसजी इंस्टीट्यूट आफ मेडिकल साइंसेज एंड रिसर्च, कोयम्बटूर द्वारा सितम्बर, 2004 में या उसके बाद प्रदान की गई है)।
"डाक्टर आफ मेडिसिन (शरीरक्रिया विज्ञान)"	एमडी (शरीरक्रिया विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह कोयम्बटूर मेडिकल कालेज, कोयम्बटूर द्वारा सितम्बर, 2006 में या इसके बाद प्रदान की गई है)।

(2)	(3)	(2)	(3)
"डाक्टर आफ मेडिसिन (सूक्ष्मजीवविज्ञान)"	एमडी (सूक्ष्मजीवविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह कोयम्बटूर मेडिकल कालेज, कोयम्बटूर द्वारा सितम्बर, 2006 में या उसके बाद प्रदान की गई है)।	"नेत्रविज्ञान में डिप्लोमा"	डी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह मेडिकल रिसर्च फाउंडेशन (शंकर नेत्रालय) चेन्नई, द्वारा अप्रैल, 1985 में या उसके बाद प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (फॉरेन्सिक मेडिसिन)"	एमडी (फॉरेन्सिक मेडिसिन) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह चेन्नई मेडिकल कालेज, चेन्नई द्वारा 1977 में या उसके बाद प्रदान की गई हो)।	"मजिस्ट्रार चिरुगिए (प्लास्टिक सर्जरी)"	एम.सी.एच (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह किलपौक मेडिकल कालेज, चेन्नई द्वारा 1984 को या उसके बाद प्रदान की गई हो)।
"मजिस्ट्रार चिरुगिए (कार्डियो-थोरेसिक सर्जरी)"	एम.सी.एच (कार्डियो-थोरेसिक सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह मदुरई मेडिकल कालेज, मदुरई द्वारा अगस्त, 2006 में या उसके बाद प्रदान की गई हो)।	प्रसूति एवं स्त्री रोग विज्ञान में डिप्लोमा	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह कोयम्बटूर मेडिकल कालेज, कोयम्बटूर द्वारा 1982 में या उसके बाद प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (सूक्ष्मजीवविज्ञान)"	एमडी (सूक्ष्मजीवविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तिरुनवेली मेडिकल कालेज, तिरुनवेली द्वारा अगस्त, 1982 में या उसके बाद प्रदान की गई हो)।	"डाक्टर आफ मेडिसिन (संवेदनाहरण)"	एमडी (संवेदनाहरण) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तंजावूर मेडिकल कालेज, तंजावूर द्वारा 1983 में या उसके बाद प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (विकृतिविज्ञान)"	एमडी (पैथोलॉजी) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तिरुनवेली मेडिकल कालेज तिरुनवेली द्वारा 1981 में या उसके बाद प्रदान की गई हो)।	"संवेदनाहरण में डिप्लोमा"	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तंजावूर मेडिकल कालेज, तंजावूर द्वारा 1979 में या उसके बाद प्रदान की गई हो)।
लैरिंगोलॉजी तथा ओटोलॉजी में डिप्लोमा	डी.एल.ओ (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह किलपौक मेडिकल कालेज, चेन्नई द्वारा अप्रैल 1979 में या उसके बाद प्रदान की गई हो)।	"डाक्टर आफ मेडिसिन (क्षयरोग एवं श्वसन/वक्ष रोग)"	एमडी (क्षयरोग एवं श्वसन/वक्षरोग) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह मद्रास मेडिकल कालेज, चेन्नई द्वारा मार्च, 1982 में या इसके बाद प्रदान की गई हो)।

(2)	(3)	(2)	(3)
“मास्टर ऑफ सर्जरी (नेत्रविज्ञान)”	एमएस (नेत्रविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह स्टैनली मेडिकल कालेज चेन्नई द्वारा 1986 में या उसके बाद प्रदान की गई हो)।	लैरिंगोलाजी एवं ओटोलोजी में डिप्लोमा	डी.एल.ओ. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह किलपौक मेडिकल कालेज, चेन्नई द्वारा अप्रैल, 1979 को या उसके बाद प्रदान की गई हो)।
(ख) “मदुरई विश्वविद्यालय मदुरई कामराज विश्वविद्यालय” के सामने ‘मान्यताप्राप्त आयुर्विज्ञान अहर्ता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्ष के अंतर्गत अंतिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :-		“नेत्रविज्ञान में डिप्लोमा”	डी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह मेडिकल रिसर्च फाउंडेशन (शंकर नेत्रालय) चेन्नई, द्वारा अप्रैल, 1985 को या उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (सूक्ष्मजीवविज्ञान)”	एमडी (सूक्ष्मजीवविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तिरुनेलवली मेडिकल कालेज तिरुनेलवली द्वारा अगस्त, 1982 में या उसके बाद प्रदान की गई हो)।	“मजिस्ट्रार चिरुगिए (प्लास्टिक सर्जरी)”	एम.सी.एच (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह किलपौक मेडिकल कालेज, चेन्नई द्वारा 1984 में या उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (विकृति विज्ञान)”	एमडी (विकृति विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तिरुनेलवली मेडिकल कालेज, तिरुनेलवली द्वारा 1981 में या उसके बाद प्रदान की गई हो)।	प्रसूति एवं स्त्रीरोगविज्ञान में डिप्लोमा	डी.जी.ओ. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह कोयम्बटूर मेडिकल कालेज, कोयम्बटूर द्वारा 1982 में या उसके बाद प्रदान की गई हो)।
(ग) “मद्रास विश्वविद्यालय” के सामने ‘मान्यताप्राप्त चिकित्सा अहर्ता’ [इसके बाद स्तंभ (2) के रूप में संदर्भित] शीर्षक के अंतर्गत अंतिम प्रविष्टि और ‘पंजीकरण के लिए संक्षेपण’ [इसके बाद स्तंभ (3) के रूप में संदर्भित] शीर्ष के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात्:—		“डाक्टर आफ मेडिसिन (संवेदनाहरण)”	एम.डी. (संवेदनाहरण) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तंजावूर मेडिकल कालेज, तंजावूर द्वारा 1983 में या उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (सूक्ष्मजीवविज्ञान)”	एमडी (सूक्ष्मजीवविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तिरुनेलवली मेडिकल कालेज, तिरुनेलवली द्वारा अगस्त, 1982 में या उसके बाद प्रदान की गई हो)।	“संवेदनाहरण में डिप्लोमा”	डी.ए. (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तंजावूर मेडिकल कालेज, तंजावूर द्वारा 1979 में या उसके बाद प्रदान की गई हो)।
“डाक्टर आफ मेडिसिन (विकृतिविज्ञान)”	एम.डी (विकृतिविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह तिरुनेलवली मेडिकल कालेज, तिरुनेलवली द्वारा 1981 में या उसके बाद प्रदान की गई हो)।		

(2)	(3)
"डाक्टर ऑफ मेडिसिन (क्षयरोग एवं श्वसनी/वक्ष रोग)	एम.डी. (क्षयरोग एवं श्वसनी/वक्षरोग) (यह एक मान्यता प्राप्त चिकित्सा अहर्ता होगी यदि यह मद्रास मेडिकल कालेज, चेन्नई द्वारा 1982 में या उसके बाद प्रदान की गई हो)।
"मास्टर ऑफ सर्जरी (नेत्रविज्ञान)"	एम.एस. (नेत्रविज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अहर्ता होगी यदि यह स्टेनली मेडिकल कालेज, चेन्नई द्वारा 1986 में या उसके बाद प्रदान की गई हो)।
(घ) शीर्षक "मान्यताप्राप्त चिकित्सा अहर्ता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अंतर्गत "भारतीय विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबद्ध प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात :- प्रसूति और स्त्रीरोग विज्ञान में डिप्लोमा	डी.जी.ओ. (यह एक मान्यता प्राप्त चिकित्सा अहर्ता होगी यदि यह कोयम्बटूर मेडिकल कालेज, कोयम्बटूर द्वारा 1982 में या उसके बाद प्रदान की गई हो)।
(ङ) शीर्षक "मान्यताप्राप्त चिकित्सा अहर्ता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अंतर्गत "भारतीदासन विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात :- "डाक्टर ऑफ मेडिसिन (संवेदनाहरण)"	एम.डी. (संवेदनाहरण) (यह एक मान्यता प्राप्त चिकित्सा अहर्ता होगी यदि यह तंजावूर मेडिकल कालेज, तंजावूर द्वारा 1983 में अथवा उसके पश्चात् प्रदान की गई हो)।
"संवेदनाहरण में डिप्लोमा"	डी.ए. (यह एक मान्यता प्राप्त चिकित्सा अहर्ता होगी यदि यह तंजावूर मेडिकल कालेज, तंजावूर द्वारा 1979 में अथवा उसके पश्चात् प्रदान की गई हो)।

[सं. यू-12012/70/2006-एम.ई. (पी-II)]

एस. के. मिश्र, अवसर सचिव

New Delhi, the 16th October, 2007

S.O.3151.—In exercise of the powers conferred by sub-section (2) of the section 11 of the Indian Medical Council Act, 1956(102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule—

(a) against "The Tamil Nadu Dr. M.G.R. University, Chennai", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

(2)	(3)
"Doctor of Medicine (Psychiatry)"	MD (Psychiatry) (This shall be a recognized medical qualification when granted by Stanley Medical College, Chennai on or after August, 2005).
"Doctor of Medicine (Pathology)"	MD (Pathology) (This shall be a recognized medical qualification when granted by Stanley Medical College, Chennai on or after September, 2006).
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical qualification when granted by PSG Instt. of Medical Sciences and Research, Coimbatore on or after March, 2006).
"Doctor of Medicine (Pathology)"	MD (Pathology) (This shall be a recognized medical qualification when granted by PSG Instt. of Medical Sciences and Research, Coimbatore on or after September, 2004).
"Doctor of Medicine (Physiology)"	MD (Physiology) (This shall be a recognized medical qualification when granted by Coimbatore Medical College, Coimbatore on or after September, 2006).
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical

(2)	(3)	(2)	(3)
"Doctor of Medicine (Forensic Medicine)"	qualification when granted by Coimbatore Medical College, Coimbatore on or after September, 2006) MD (Forensic Medicine) (This shall be a recognized medical qualification when granted by Chennai Medical College, Chennai on or after 1977).	"Diploma in Obstetrics & Gynaecology"	granted by Kilpauk Medical College, Chennai on or after 1984). D.G.O. (This shall be a recognized medical qualification when granted by Coimbatore Medical College, Coimbatore on or after, 1982).
"Magistrat Chirurgiae (Cardio-Thoracic-Surgery)"	M.Ch. (Cardio-Thoracic-Surgery) (This shall be a recognized medical qualification when granted by Madurai Medical College, Madurai on or after August, 2006).	"Doctor of Medicine (Anaesthesia)"	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by Thanjavur Medical College, Thanjavur on or after 1983).
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical qualification when granted by Tirunelveli Medical College, Tirunelveli on or after August, 1982)	"Diploma in Anaesthesia"	D.A. (This shall be a recognized medical qualification when granted by Thanjavur Medical College, Thanjavur on or after 1979).
"Doctor of Medicine (Pathology)"	MD (Pathology) (This shall be a recognized medical qualification when granted by Tirunelveli Medical College, Tirunelveli on or after 1981).	"Doctor of Medicine (T.B. & Resp./ Chest Diseases)"	MD (T.B.&Resp. Chest Diseases) (This shall be a recognized Medical qualification when granted by Madras Medical College, Chennai on or after March, 1982).
"Diploma in Laryngology and Otology"	D.L.O. (This shall be a recognized medical qualification when granted by Kilpauk Medical College, Chennai on or after April, 1979).	"Master of Surgery Ophthalmology"	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by Stanley Medical College, Chennai on or after 1986).
"Diploma in Ophthalmology"	D.O. (This shall be a recognized medical qualification when granted by Medical Research Foundation (Sanakra Netralaya), Chennai on or after April, 1985).	(b) against "Madurai University, Madurai Kamraj University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column 2)], after the last entry and entry relating there to under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Magistrat Chirurgiae (Plastic Surgery)"	M.Ch. (Plastic Surgery) (This shall be a recognized medical qualification when	"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical qualification when granted by Tirunelveli Medical College, Tirunelveli on or after August, 1982).

(2)	(3)	(2)	(3)
"Doctor of Medicine (Pathology)"	MD (Pathology) (This shall be a recognized medical qualification when granted by Tirunelveli Medical College, Tirunelveli on or after 1981).	"Diploma in Anaesthesia"	granted by Thanjavur Medical College, Thanjavur on or after 1983). D.A. (This shall be a recognized medical qualification when granted by Thanjavur Medical College, Thanjavur on or after 1979).
(c) against "Madras University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—		"Doctor of Medicine (T.B. & Resp./ Chest Diseases)"	MD (T.B. & Resp./ Chest Diseases). (This shall be a recognized medical qualification when granted by Madras Medical College Chennai on or after March, 1982).
"Doctor of Medicine (Microbiology)"	MD (Microbiology) (This shall be a recognized medical qualification when granted by Tirunelveli Medical College, Tirunelveli on or after August, 1982).	"Master of Surgery (Ophthalmology)"	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by Stanley Medical College, Chennai on or after 1986).
"Doctor of Medicine (Pathology)"	MD (Pathology) (This shall be a recognized medical qualification when granted by Tirunelveli Medical College, Tirunelveli on or after 1981).	(d) against "Bharthiar University", under the heading "Recognized Medical Qualification" [hereinafter referred to as Column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
Diploma in Laryngology and Otology	D.L.O. (This shall be a recognized medical qualification when granted by Kilpauk Medical College, Chennai on or after April, 1979).	Diploma in Obstetrics & Gynaecology	D.G.O. (This shall be a recognized medical qualification when granted by Coimbatore Medical College, Coimbatore on or after 1982).
"Diploma in Ophthalmology"	D.O. (This shall be a recognized medical qualification when granted by Medical Research Foundation (Sankara Netralaya), Chennai on or after April, 1985).	(e) against "Bharthidasan University", under the heading "Recognized Medical Qualification" [hereinafter referred to as Column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
"Magistrar Chirurgiae (Plastic Surgery)"	M.Ch Plastic Surgery (This shall be a recognized medical qualification when granted by Kilpauk Medical College, Chennai on or after 1984).	"Doctor of Medicine (Anaesthesia)"	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by Thanjavur Medical College, Thanjavur on or after 1983).
Diploma in Obbestetrics & Gynaecology	D.G.O. (This shall be a recognized medical qualification when granted by Coimbatore Medical College, Coimbatore on or after 1982).	"Diploma in Anaesthesia"	D.A. (This shall be a recognized medical qualification when granted by Thanjavur Medical College, Thanjavur on or after 1979).
"Doctor of Medicine (Anaesthesia)"	MD (Anaesthesia) (This shall be a recognized medical qualification when		

नई दिल्ली, 16 अक्टूबर, 2007

का.आ. 3152.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्द्वारा निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अनुसूची में—

(क) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “पदमश्री डी.वाई. पाटिल मेडिकल कालेज (सम विश्वविद्यालय), पुणे” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

(2)	(3)
लैरिंगोलाजी तथा आटोलाजी में डिप्लोमा	डीएलओ (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अगस्त, 2005 में अथवा उसके पश्चात् प्रदान की गई हो)
त्वचा विज्ञान, रतिजरोग विज्ञान तथा कुष्ठ में डिप्लोमा	डीडीवीएल (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
डाक्टर आफ मेडिसन (सामान्य काय चिकित्सा)	एम डी (सामान्य कार्य चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
मास्टर आफ सर्जरी (अस्थि रोग विज्ञान)	एम एस (अस्थि रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अक्टूबर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
अस्थिरोग विज्ञान में डिप्लोमा	डी आर्थो (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा जून, 2005 में अथवा उसके पश्चात् प्रदान की गई हो)
चिकित्सा विकिरण निदान में डिप्लोमा	डी एम आर डी (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा जुलाई, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
डाक्टर आफ मेडिसन (संवेदनाहरण)	एम डी (संवेदनाहरण) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा जुलाई, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
डिप्लोमा इन क्लिनिकल पैथोलॉजी	डी सी पी (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा जुलाई, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
डाक्टर आफ मेडिसन (बाल रोग विज्ञान)	एम डी (बाल रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
मास्टर आफ सर्जरी (नेत्र विज्ञान)	एम एस (नेत्र विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)

(2)	(3)
मास्टर आफ सर्जरी (प्रसूति एवं स्त्री रोग विज्ञान)	एम एस (प्रसूति एवं स्त्री रोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डी वाई पाटिल मेडिकल कालेज, पुणे द्वारा अगस्त, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
(ख) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "गुजरात विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
डाक्टर आफ मेडिसिन (हृदरोग विज्ञान)	डी एम (हृदरोग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह बी जे मेडिकल कालेज, अहमदाबाद से संबद्ध यू एन मेहता इंस्टीट्यूट आफ कार्डियोलॉजी एंड रिसर्च सेंटर द्वारा 1991 में अथवा उसके पश्चात् प्रदान की गई हो)
मास्टर आफ सर्जरी (जनरल सर्जरी)	एम एस (जनरल सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह श्रीमती एन.एच.एल. म्युनिसिपल मेडिकल कालेज, अहमदाबाद द्वारा 1954 में अथवा उसके पश्चात् प्रदान की गई हो)
मजिस्ट्रार चिरुगिए (बाल रोग सर्जरी)	एम.सी.एच. (बाल रोग सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह बी जे मेडिकल कालेज, अहमदाबाद द्वारा अक्टूबर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)
(ग) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "वीर नर्मद साउथ गुजरात" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
डाक्टर आफ मेडिसिन (सूक्ष्म जीव विज्ञान)	एम डी (सूक्ष्म जीव विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, सूरत द्वारा नवम्बर, 2005 में अथवा उसके पश्चात् प्रदान की गई हो)
मास्टर आफ सर्जरी/डाक्टर आफ मेडिसिन (शरीर रचना विज्ञान)	एम एस/एम डी (शरीर रचना विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, सूरत द्वारा अगस्त, 1986 में अथवा उसके पश्चात् प्रदान की गई हो)
डाक्टर आफ मेडिसिन (मनश्चिकित्सा)	एम डी (मनश्चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, सूरत द्वारा दिसम्बर, 1984 में अथवा उसके पश्चात् प्रदान की गई हो)
मनोविकार चिकित्सा में डिप्लोमा	डी पी एम (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, सूरत द्वारा दिसम्बर, 1983 में अथवा उसके पश्चात् प्रदान की गई हो)
(घ) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "एच एन बी गढ़वाल विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
डाक्टर आफ मेडिसिन (जैव रसायन)	एम डी (जैव रसायन) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह हिमालया इंस्टीट्यूट आफ मेडिकल साइंसेज, देहरादून द्वारा जुलाई, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)

(2)

(3)

डाक्टर आफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)

एम डी (प्रसूति एवं स्त्री रोग विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह हिमालया इंस्टीट्यूट आफ मेडिकल साइंसेज, देहरादून द्वारा प्रदान की गई हो)

(ड) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “हिमाचल प्रदेश विश्वविद्यालय शिमला” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

डाक्टर आफ मेडिसिन (त्वचा विज्ञान)

एम डी (त्वचा विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंदिरा गांधी मेडिकल कालेज शिमला द्वारा जून, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)

अस्थि विज्ञान में डिप्लोमा

डी आर्थो

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह इंदिरा गांधी मेडिकल कालेज शिमला द्वारा जून, 1985 में अथवा उसके पश्चात् प्रदान की गई हो)

(च) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “जम्मू विश्वविद्यालय” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

डाक्टर आफ मेडिसिन/मास्टर आफ सर्जरी (प्रसूति और स्त्री रोग विज्ञान)

एम डी/एम एस (प्रसूति और स्त्री रोग विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, जम्मू द्वारा जून, 1984 में अथवा उसके पश्चात् प्रदान की गई हो) ।

[संख्या यू-12012/70/2006-एम.ई.(नीति-II)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 16th October, 2007

S.O. 3152.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule —

(a) against “Padamshree D. Y. Patil Medical College (Deemed University), Pune”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)

(3)

Diploma in Laryngology and Otology

D.L.O.

(This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after August, 2005).

“Diploma in Dermatology, Venereology & Leprosy”

D.D.V.L.

(This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after August, 2006).

“Doctor of Medicine (General Medicine)”

MD (General Medicine)

(This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after August, 2006).

“Master of Surgery (Orthopaedics)”

MS (Orthopaedics)

(This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after October, 2006).

(2)	(3)
“Diploma in Orthopaedics”	D.Ortho. (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after June, 2005).
“Diploma in Medical Radio Diagnosis”	D.M.R.D. (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after July, 2006).
“Doctor of Medicine (Anaesthesia)”	MD (Anaesthesia) (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after July, 2006).
“Diploma in Clinical Pathology”	D.C.P. (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after July, 2006).
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics) (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after August, 2006).
“Master of Surgery (Ophthalmology)”	MS (Ophthalmology) (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after August, 2006).
“Master of Surgery (Obst. & Gynae.)”	MS (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by D. Y. Patil Medical College, Pune on or after August, 2006).

(b) against “Gujarat University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Cardiology)”	DM (Cardiology) (This shall be a recognized medical qualification when granted by U.N. Mehta Instt. of Cardiology & Research Centre attached with B.J. Medical College, Ahmedabad on or after 1991).
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by Smt. N.H.L. Municipal Medical College, Ahmedabad on or after 1954).
“Magistrar Chirurgiae (Paediatric Surgery)”	M. Ch (Paediatric Surgery) (This shall be a recognized medical qualification when granted by B.J. Medical College, Ahmedabad on or after Oct., 2006).

(c) against “Veer Narmad South Gujarat University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Microbiology)”	MD (Microbiology) (This shall be a recognized medical qualification when granted by Government Medical College, Surat on or after November, 2005).
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(2)	(3)
“Master of Surgery/Doctor of Medicine (Anatomy)”	MS/MD (Anatomy) (This shall be a recognized medical qualification when granted by Government Medical College, Surat on or after August, 1986).
“Doctor of Medicine (Psychiatry)”	MD (Psychiatry) (This shall be a recognized medical qualification when granted by Govt. Medical College, Surat on or after December, 1984).
“Diploma of Psychiatric Medicine”	D.P.M. (This shall be a recognized medical qualification when granted by Government Medical College, Surat on or after December, 1983).

(d) against “H.N.B. Garhwal University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Biochemistry)”	MD (Biochemistry) (This shall be a recognized medical qualification when granted by Himalaya Instt. of Medical Sciences, Dehradun on or after July, 2006).
“Doctor of Medicine (Obst. & Gynae.)”	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Himalaya Instt. of Medical Sciences, Dehradun).

(e) against “Himachal Pradesh University, Shimla”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Dermatology)”	MD (Dermatology) (This shall be a recognized medical qualification when granted by Indira Government College, Shimla on or after June, 2006).
“Diploma in Orthopaedics”	D. Ortho. (This shall be a recognized medical qualification when granted by Indira Gandhi Medical College, Shimla on or after 1985).

(f) against “Jammu University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine/Master of Surgery (Obst. & Gynae.)”	MD/MS (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Government Medical College, Jammu on or after June, 1984).
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नई दिल्ली, 16 अक्टूबर, 2007

का.आ. 3153.—भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात् :-

उक्त अनुसूची में—

(क) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "कलकत्ता विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

(2)	(3)
"मेजिस्ट्रार चिरुरगि (यूरोलोजी/जेनिटोयूरिनेरी सर्जरी)"	एम.सीएच. (यूरोलोजी/जेनिटो-यूरिनेरी सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह स्नातकोत्तर चिकित्सा शिक्षा और अनुसंधान संस्थान, कलकत्ता द्वारा जून, 1994 में अथवा उसके पश्चात् प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (क्षय रोग और श्वसनी एवं वक्ष रोग)"	एम.डी. (टीबी और श्वसनी/वक्ष रोग) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह मेडिकल कालेज, कोलकाता द्वारा 1975 में अथवा उसके पश्चात् प्रदान की गई हो)।
"मास्टर आफ सर्जरी (विकलांग विज्ञान)"	एम.एस. (विकलांग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह आर.जी.कार मेडिकल कालेज, कलकत्ता द्वारा 1978 में अथवा उसके पश्चात् प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (सामान्य चिकित्सा)"	एम.डी. (सामान्य चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आर.जी.कार मेडिकल कालेज, कलकत्ता द्वारा 1959 में अथवा उसके पश्चात् प्रदान की गई हो)।
"मास्टर आफ सर्जरी (सामान्य सर्जरी)"	एम.डी. (सामान्य सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह विवेकानन्द इंस्टीट्यूट ऑफ मेडिकल साइंसिज, कलकत्ता द्वारा 1973 में अथवा उसके पश्चात् प्रदान की गई हो)।
"मास्टर आफ सर्जरी (विकलांग विज्ञान)"	एम.एस. (विकलांग विज्ञान) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एन.आर.एस. मेडिकल कालेज, कोलकाता द्वारा 1975 में अथवा उसके पश्चात् प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (सामान्य चिकित्सा)"	एम.डी. (सामान्य चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एन.आर.एस. मेडिकल कालेज, कोलकाता द्वारा 1972 में अथवा उसके पश्चात् प्रदान की गई हो)।
"डाक्टर आफ मेडिसिन (बाल चिकित्सा)"	एम.डी. (बाल चिकित्सा) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह एन.आर.एस. मेडिकल कालेज, कोलकाता द्वारा 1990 में अथवा उसके पश्चात् प्रदान की गई हो)।

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“डाक्टर आफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)”

एम.डी. (प्रसूति एवं स्त्री रोग)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह एन.आर.एस. मेडिकल कालेज, कोलकाता द्वारा 1970 में अथवा उसके पश्चात् प्रदान की गई हो)।

“मास्टर आफ सर्जरी (प्रसूति एवं स्त्री रोग विज्ञान)”

एम.एस. (प्रसूति एवं स्त्री रोग)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एन.आर.एस. मेडिकल कालेज, कोलकाता द्वारा 1970 में अथवा उसके पश्चात् प्रदान की गई हो)।

“मास्टर आफ सर्जरी (सामान्य सर्जरी)”

एम.एस. (सामान्य चिकित्सा)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह एन.आर.एस. मेडिकल कालेज, कोलकाता द्वारा 1959 में अथवा उसके पश्चात् प्रदान की गई हो)।

“डाक्टर आफ मेडिसिन (सामान्य चिकित्सा)”

एम.डी. (सामान्य चिकित्सा)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कलकत्ता नेशनल मेडिकल कालेज, कोलकाता द्वारा 1976 में अथवा उसके पश्चात् प्रदान की गई हो)।

“डाक्टर आफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)”

एम.डी. (प्रसूति एवं स्त्री रोग विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कलकत्ता नेशनल मेडिकल कालेज, कोलकाता द्वारा 1979 में अथवा उसके पश्चात् प्रदान की गई हो)।

“मास्टर आफ सर्जरी (प्रसूति एवं स्त्री रोग विज्ञान)”

एम.एस. (प्रसूति एवं स्त्री रोग विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कलकत्ता नेशनल मेडिकल कालेज, कोलकाता द्वारा 1979 में अथवा उसके पश्चात् प्रदान की गई हो)।

“मास्टर आफ सर्जरी (सामान्य सर्जरी)”

एम.एस. (सामान्य चिकित्सा)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कलकत्ता नेशनल मेडिकल कालेज, कोलकाता द्वारा 1991 में अथवा उसके पश्चात् प्रदान की गई हो)।

“मास्टर आफ सर्जरी (सामान्य सर्जरी)”

एम.एस. (सामान्य सर्जरी)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आर.जी. कार मेडिकल कालेज, कोलकाता द्वारा 1959 में अथवा उसके पश्चात् प्रदान की गई हो)।

(ख) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “कालीकट विश्वविद्यालय” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

“डाक्टर आफ मेडिसिन (एसपीएम/सामुदायिक चिकित्सा)”

एम.डी. (एसपीएम/सामुदायिक चिकित्सा)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कालीकट मेडिकल कालेज, कालीकट द्वारा 1980 में अथवा उसके पश्चात् प्रदान की गई हो)।

“डाक्टर आफ मेडिसिन (तंत्रिका विज्ञान)”

एम.डी. (तंत्रिका विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कालीकट मेडिकल कालेज, कालीकट द्वारा 1999 में अथवा उसके पश्चात् प्रदान की गई हो)।

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“डाक्टर आफ मेडिसिन (भौतिक चिकित्सा और पुनर्वास)”

एम.डी. (भौतिक चिकित्सा और पुनर्वास)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कालीकट मेडिकल कालेज, कालीकट द्वारा सितम्बर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।

(ग) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “दिल्ली विश्वविद्यालय” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

“डाक्टर आफ मेडिसिन (प्रसूति एवं स्त्री रोग विज्ञान)”

एम.डी. (प्रसूति एवं स्त्री रोग विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कस्तूरबा अस्पताल, नई दिल्ली द्वारा 1975 में अथवा उसके पश्चात् प्रदान की गई हो)।

“प्रसूति एवं स्त्री रोग विज्ञान में डिप्लोमा”

डी.जी.ओ

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह कस्तूरबा अस्पताल, नई दिल्ली द्वारा 1970 में अथवा उसके पश्चात् प्रदान की गई हो)।

“डाक्टर आफ मेडिसिन (विकिरण निदान)”

एम.डी. (विकिरण निदान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आर्मी हॉस्पिटल, दिल्ली कैंट, दिल्ली द्वारा 1975 में अथवा उसके पश्चात् प्रदान की गई हो)।

“डिप्लोमा इन मेडिकल रेडियो डायग्नोसिस”

डी.एम.आर.डी.

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह लेडी हार्डिंग मेडिकल कालेज, नई दिल्ली द्वारा अप्रैल, 1964 में अथवा उसके पश्चात् प्रदान की गई हो)।

“मास्टर आफ मेडिसिन (बाल चिकित्सा)”

एम.डी. (बाल चिकित्सा)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आर्मी हॉस्पिटल, दिल्ली कैंट, दिल्ली द्वारा अप्रैल, 1984 में अथवा उसके पश्चात् प्रदान की गई हो)।

“डिप्लोमा इन चाइल्ड हेल्थ”

डी.सी.एच.

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह आर्मी हॉस्पिटल, दिल्ली कैंट, दिल्ली द्वारा अप्रैल, 1983 में अथवा उसके पश्चात् प्रदान की गई हो)।

(घ) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “दीन दयाल उपाध्याय गोरखपुर विश्वविद्यालय/गोरखपुर विश्वविद्यालय” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

“डाक्टर आफ मेडिसिन (विकृति विज्ञान)”

एम.डी. (विकृति विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह बी.आर.डी. मेडिकल कालेज, गोरखपुर द्वारा 1982 में अथवा उसके पश्चात् प्रदान की गई हो)।

(ङ) शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत “दत्ता मेघे इंस्टीट्यूट ऑफ मेडिकल साइंस (सम विश्वविद्यालय)” के सामने, अंतिम प्रविष्टि तथा शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-

“डाक्टर आफ मेडिसिन (विकृति विज्ञान)”

एम.डी. (विकृति विज्ञान)

(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह जे.एल.एन. मेडिकल कालेज, स्वांगी, वर्धा द्वारा दिसम्बर, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।

(2)	(3)
(च) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "होमी भाभा नेशनल इंस्टीट्यूट (सम विश्वविद्यालय), मुम्बई" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"डिप्लोमा इन रेडिएशन मेडिसिन"	डी.आर.एम. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह टाटा मेमोरियल सेंटर, मुम्बई द्वारा 2007 में अथवा उसके पश्चात् प्रदान की गई हो)।
(छ) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "पंजाबी विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"मेजिस्ट्रार चिरुर्गिआई (प्लास्टिक सर्जरी)"	एम.सीएच. (प्लास्टिक सर्जरी) (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह सरकारी मेडिकल कालेज, पटियाला द्वारा 1987 से 1995 के बीच प्रदान की गई हो)।
(ज) शीर्षक "मान्यताप्राप्त चिकित्सा अर्हता" [इसके पश्चात् स्तंभ (2) के रूप में उल्लिखित] के अन्तर्गत "रांची विश्वविद्यालय" के सामने, अंतिम प्रविष्टि तथा शीर्षक 'पंजीकरण के लिए संक्षेपण' [इसके अन्तर्गत स्तंभ (3) के रूप में उल्लिखित] के अन्तर्गत उससे संबंधित प्रत्येक प्रविष्टि के बाद, निम्नलिखित जोड़ा जाएगा, अर्थात् :-	
"डिप्लोमा इन लेरिंगोलौजी एवं ओटोलौजी"	डी.एल.ओ. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि जब यह राजेन्द्र आयुर्विज्ञान संस्थान, रांची द्वारा फरवरी, 2006 में अथवा उसके पश्चात् प्रदान की गई हो)।

[संख्या यू-12012/70/2006-एमई.(नीति-II)]

एस. के. मिश्र, अवर सचिव

New Delhi, the 16th October, 2007

S.O. 3153.—In exercise of the powers conferred by sub-Section (2) of the section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely :—

In the said Schedule —

(a) against "Calcutta University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
"Magistrar Chirugiaie (Urology/Genito-Urinary-Surgery)"	M.Ch(Urology/Genito-Urinary-Surgery) (This shall be a recognized medical qualification when granted by Institute of Postgraduate Medical Education & Research Calcutta on or after June, 1994).
"Doctor of Medicine (Tuberculosis & Respiratory/Chest Diseases)"	MD(T.B. & Resp./Chest Diseases) (This shall be a recognized medical qualification when granted by Medical College, Kolkata on or after 1975).
"Master of Surgery (Orthopaedics)"	MS(Orthopaedics) (This shall be a recognized medical qualification when granted by R.G. Kar Medical College, Calcutta on or after 1978).
"Doctor of Medicine (General Medicine)"	MD (General Medicine) (This shall be a recognized medical qualification when granted by R.G. Kar Medical College, Calcutta on or after 1959).

(2)	(3)
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by Vivekanand Institute of Medical Sciences, Calcutta on or after 1973).
“Master of Surgery (Orthopaedics)”	MS (Orthopaedics) (This shall be a recognized medical qualification when granted by N.R.S. Medical College, Kolkata on or after 1975).
“Doctor of Medicine (General Medicine)”	MD (General Medicine) (This shall be a recognized medical qualification when granted by N.R.S. Medical College, Kolkata on or after 1972).
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics) (This shall be a recognized medical qualification when granted by N.R.S. Medical College, Kolkata on or after 1990).
“Doctor of Medicine (Obst. & Gynae.)	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by N.R.S. Medical College, Kolkata on or after 1970).
“Master of Surgery (Obst. & Gynae.)	MS (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by N.R.S. Medical College, Kolkata on or after 1970).
“Master of Surgery (General Surgery)	MS (General Surgery) (This shall be a recognized medical qualification when granted by N.R.S. Medical College, Kolkata on or after 1959).
“Doctor of Medicine (General Medicine)”	MD (General Medicine) (This shall be a recognized medical qualification when granted by Calcutta National Medical College, Kolkatta on or after 1976).
“Doctor of Medicine (Obst. & Gynae.)	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Calcutta National Medical College, Kolkatta on or after 1979).
“Master of Surgery (Obst. & Gynae.)	MS (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Calcutta National Medical College, Kolkatta on or after 1979).
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by Calcutta National Medical College, Kolkatta on or after 1991).
“Master of Surgery (General Surgery)”	MS (General Surgery) (This shall be a recognized medical qualification when granted by R.G. Kar Medical College, Calcutta on or after 1959).

(b) against “Calicut University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (SPM/Community Medicine)”	MD (SPM/Community Medicine) (This shall be a recognized medical qualification when granted by Calicut Medical College, Calicut on or after 1980).
“Doctor of Medicine (Neurology)”	DM (Neurology) (This shall be a recognized medical qualification when granted by Calicut Medical College, Calicut on or after 1999).
“Doctor of Medicine (Physical Medicine & Rehabilitation)”	MD (Physical Medicine & Rehabilitation) (This shall be a recognized medical qualification when granted by Calicut Medical College, Calicut on or after September, 2006).

(c) against “Delhi University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

“Doctor of Medicine (Obst. & Gynae.)”	MD (Obst. & Gynae.) (This shall be a recognized medical qualification when granted by Kasturba Hospital, New Delhi on or after 1975).
“Diploma in Gyane & Obst.”	D.G.O. (This shall be a recognized medical qualification when granted by Kasturba Hospital, New Delhi on or after 1970).
“Doctor of Medicine (Radio-Diagnosis)”	MD (Radio-Diagnosis) (This shall be a recognized medical qualification when granted by Army Hospital Delhi Cantt., Delhi on or after April, 1975).
“Doctor of Medicine (Radio-Diagnosis)”	D.M.R.D. (This shall be a recognized medical qualification when granted by Lady Hardinge Medical College, New Delhi On or after 1964)
“Doctor of Medicine (Paediatrics)”	MD (Paediatrics) (This shall be a recognized medical qualification when granted by Army Hospital Delhi Cantt., Delhi on or after April, 1984).
“Diploma in Child Health”	D.C.H. (This shall be a recognized medical qualification when granted by Army Hospital Delhi Cantt., Delhi on or after April, 1983).

(d) against “Deen Dayal Upadhyaya Gorakhpur University/Gorakhpur University”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognized medical qualification when granted by B.R.D. Medical College, Gorakhpur on or after 1982).
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(e) against “Datta Meghe Institute of Medical Sciences (Deemed University)”, under the heading ‘Recognized Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely:—

“Doctor of Medicine (Pathology)”	MD (Pathology) (This shall be a recognized medical qualification when granted by J.L.N. Medical College, Sawangi, Wardha on or after December, 2006).
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(f) against "Homi Bhabha National Institute (Deemed University), Mumbai", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Diploma in Radiation Medicine"

D.R.M.

(This shall be a recognized medical qualification when granted by Tata Memorial Center, Mumbai on or after 2007).

(g) against "Punjabi University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

"Magistrar Chirurgiae (Plastic Surgery)"

M.Ch(Plastic Surgery)

(This shall be a recognized medical qualification when granted by Govt. Medical College, Patiala between 1987 to 1995).

(h) against "Rachi University", under the heading 'Recognized Medical Qualification' [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

Diploma in Laryngology and Otology

D.L.O.

(This shall be a recognized medical qualification when granted by Rajendra Institute of Medical Sciences, Ranchi on or after Feb., 2006).

[No. U-12012/70/2006-ME(P-II)]

S.K. MISHRA, Under Secy.

नई दिल्ली, 22 अक्टूबर, 2007

का. आ. 3154.—(अ) केन्द्रीय सरकार, मानव अंग प्रतिरोपण अधिनियम, 1994 (1994 का 42) की धारा 9 की उपधारा (4) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सेना अस्पताल (अनुसंधान और परामर्श) दिल्ली के लिए निम्नलिखित प्राधिकार समिति का गठन करती है और उस प्रयोजन के लिए भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय की अधिसूचना सं.का. आ.82(अ) तारीख 4 फरवरी, 1995 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "1. राष्ट्रीय राजधानी राज्यक्षेत्र, दिल्ली" शीर्ष के अधीन क्रम सं. 4 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम सं. और प्रविष्टियाँ रखी जाएगी, अर्थात् :—

"5. सेना अस्पताल (अनुसंधान और परामर्श), दिल्ली

- | | | |
|-----|--|---------|
| (1) | उप कमांडेंट,
सेना अस्पताल (अनुसंधान और परामर्श) छावनी, दिल्ली छावनी-110010 | अध्यक्ष |
| (2) | विभागाध्यक्ष, शल्य क्रिया
सेना अस्पताल (अनुसंधान और परामर्श) छावनी, दिल्ली छावनी-110010 | सदस्य |
| (3) | विभागाध्यक्ष, आयुर्विज्ञान विभाग
सेना अस्पताल (अनुसंधान और परामर्श) छावनी, दिल्ली छावनी-110010 | सदस्य |
| (4) | सचिव (स्वास्थ्य और परिवार कल्याण मंत्रालय) का नामनिर्देशित व्यक्ति, राष्ट्रीय राजधानी राज्यक्षेत्र सरकार, 9वां तल, दिल्ली सचिवालय, आई.पी.इस्टेट, नई दिल्ली | सदस्य |
| (5) | स्वास्थ्य सेवा निदेशालय का नामनिर्देशित व्यक्ति, राष्ट्रीय राजधानी राज्यक्षेत्र सरकार, एफ-17, कडकडूदूमा, शाहदरा, दिल्ली-110032 | सदस्य |
| (6) | श्रीमती प्रोमिला चंदेल, आर्मी वाइक्स वेलफेयर एसोसिएशन की प्रतिनिधि कमरा न. 210, साउथ ब्लॉक, नई दिल्ली | सदस्य |
| (7) | श्रीमती सुनीता खन्ना, आर्मी वाइक्स वेलफेयर एसोसिएशन की प्रतिनिधि कमरा न. 210, साउथ ब्लॉक, नई दिल्ली | सदस्य |
| (8) | कर्नल अजय बक्शी,
अध्यक्ष के स्टाफ आफिसर, आर्मी वाइक्स वेलफेयर एसोसिएशन की प्रतिनिधि कमरा न. 210, साउथ ब्लॉक, नई दिल्ली | सदस्य |

[फा. सं. एस.-12011/2/2007-एम.एस.]

जय प्रकाश, अवर सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र, असाधरण सं. का.आ.82(अ) तारीख 4 फरवरी, 1995 द्वारा प्रकाशित की गई थी और तत्पश्चात्तवर्ती सं. का.आ.127(अ), तारीख 15 फरवरी, 1996, सं. का.आ. 227(अ), तारीख 19 मार्च, 1998, सं. का.आ. 1420, तारीख 17 मई, 2003, सं. का.आ. 2858, तारीख 29 जुलाई, 2006, और सं. का.आ. 4292, तारीख 10 नवम्बर, 2006 द्वारा संशोधित की गई।

New Delhi, the 22nd October, 2007

S.O. 3154.—In exercise of the powers conferred by clause (a) of sub-section (4) of Section 9 of the Transplantation of Human Organs Act, 1994 (42 of 1994), the Central Government hereby constitutes following Authorisation Committee for the Army Hospital (Research and Referrals) Delhi and for that purpose makes the following further amendments in the notification of the Government of India in the Ministry of Health and Family Welfare number S.O.82(E), dated the 4th February, 1995, namely:—

In the said notification, under the heading “I, National Capital Territory of Delhi”, after serial number 4 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

“5. Army Hospital (Research and Referral), Delhi

- | | | |
|-----|--|------------|
| (1) | Deputy Commandant,
Army Hospital (Research and Referral) Cantonment, Delhi Cantt-110010 | - Chairman |
| (2) | Head of the Department of Surgery
Army Hospital (Research and Referral) Cantonment, Delhi Cantt-110010 | - Member |
| (3) | Head of the Department of Medicine
Army Hospital (Research and Referral) Cantonment, Delhi Cantt-110010 | - Member |
| (4) | Nominee of the Secretary (Health and Family Welfare), Government of National Capital Territory, 9th Floor, Delhi Secretariat, IP Estate, New Delhi | - Member |
| (5) | Nominee of the Directorate of Health Services, Government of National Capital Territory, F-17, Karkardooma, Shahdara, Delhi-110032 | - Member |
| (6) | Mrs. Promilla Chande, Representative of Army Wives Welfare Association, Room No. 210, South Block, New Delhi | - Member |
| (7) | Mrs. Sunita Khanna, Representative of Army Wives Welfare Association, Room No. 210, South Block, New Delhi | - Member |
| (8) | Col. Ajoy Bakshi, Staff Officer to President, Army Wives Welfare Association, Room No. 210, South Block, New Delhi | - Member” |

[F. No. S-12011/2/2007-MS]

JAI PRAKASH, Under Secy.

Note : The principal notification was published in the Gazette of India Extraordinary vide number S.O. 82(E), dated the 4th February, 1995 and subsequently was amended vide numbers S.O. 127(E), dated the 15th February, 1996; S.O. 227(E), dated the 19th March, 1998, S.O. 1420, dated the 17th May, 2003; S.O. 2858, dated the 29th July, 2006 and S.O. 4292, dated the 11th November, 2006.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 19 अक्टूबर, 2007

का. आ. 3155.—रेल मंत्रालय (रेलवे बोर्ड), राजभाषा नियम 1976 (संघ के शासकीय प्रयोजनों के लिए प्रयोग) के नियम 10 के उपनियम (2) और (4) के अनुसरण में दक्षिण-पूर्व रेलवे के मुख्यालय, कोलकाता को जहां 80% से अधिक अधिकारियों/कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करता है।

[सं. हिंदी- 2007/रा. भा. 1/12/3]

कृष्णा शर्मा, संयुक्त निदेशक, (राजभाषा)

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 19th October, 2007

S.O. 3155.—Ministry of Railways (Railway Board), in pursuance of Sub Rule (2) and (4) of Rule 10 of the Official Languages (use for official purposes of the union) Rules, 1976, hereby, notify the Headquarter of South-Eastern Railway, Kolkata where 80% or more Officers/Employees have acquired the working knowledge of Hindi.

[No. Hindi-2007/O.L.1/12/3]

KRISHNA SHARMA, Jt. Director,(O.L.)

कोयला मंत्रालय

नई दिल्ली, 24 अक्टूबर, 2007

का.आ. 3156.—माननीय उच्चतम न्यायालय ने इंडियन ऑयल कारपोरेशन लिमिटेड बनाम चीफ इंस्पेक्टर ऑफ फैक्ट्रीज और अन्य के मामले में 1998 की सिविल अपील सं. 3237 में तारीख 14 जुलाई, 1998 को दिये गये अपने निर्णय में यह अभिधारित किया था कि कारखाना अधिनियम, 1948 की धारा 2 के खंड (द) के पहले परंतुक के खंड (iii) के कार्यक्षेत्र के अंतर्गत आने वाले कारखाने का अंतिम स्वामी केंद्रीय सरकार है और तदनुसार केंद्रीय सरकार को ऐसे कारखानों में "अधिष्ठता" को नियुक्त करने का आत्यंतिक प्राधिकार है ;

अतः अब, केंद्रीय सरकार (कोयला मंत्रालय), कारखाना अधिनियम, 1948 (1948 का 63) की धारा 2 के खंड (द) के पहले परंतुक के खंड (iii) के अधीन प्रदत्त शक्तियों के अनुसरण में कोल इंडिया लिमिटेड की समनुषंगी कंपनी भारत कोकिंग कोल लिमिटेड (बीसीसीएल) जिसका रजिस्ट्रीकृत कार्यालय कोयला भवन, कोयला नगर, धनबाद है, के संबंधित कारखानों/कार्यशालाओं के "अधिष्ठता" के रूप में नीचे दी गई सारणी में दिये गये अधिकारियों को नियुक्त करती है ;

सारणी

क्रम सं.	कारखाना/कार्यशाला का नाम	अधिष्ठता के रूप में नियुक्त अधिकारी का पदनाम
1.	बरोरा धोवनशाला	
2.	भोजुडीह धोवनशाला	
3.	दुग्दा धोवनशाला	
4.	पाथरडीह धोवनशाला	यथास्थिति, मुख्य महा प्रबंधक (धोवनशाला)/महा प्रबंधक (धोवनशाला)
5.	सुदामडीह धोवनशाला	
6.	मूनीडीह धोवनशाला	
7.	मोहुदा धोवनशाला	
8.	लोदना धोवनशाला	यथास्थिति, लोदना क्षेत्र के मुख्य महा प्रबंधक
9.	मधुबंद धोवनशाला	यथास्थिति, ब्लाक-2 क्षेत्र के मुख्य महा प्रबंधक या महा प्रबंधक
10.	बरारी कोक संयंत्र	
11.	लोयाबाद कोक संयंत्र	
12.	लोदना बीएच और बीपी संयंत्र	मुख्यालय स्थित कोक संयंत्रों के भार साधक अधिकारी
13.	भौरा बीएच और बीपी संयंत्र	
14.	सिमलाबहाल बीएच संयंत्र	
15.	बीसीसीएल प्रेस	मुख्य महाप्रबंधक (प्रशासन)

भारत कोकिंग कोल लिमिटेड के अध्यक्ष-सह-प्रबंध निदेशक को, जिन्हें ऊपर यथा उपदर्शित अधिष्ठता के रूप में पदाभिहित किया गया है ऐसे अधिकारियों को अपने-अपने पदों पर नाम निर्दिष्ट करने के लिए प्राधिकृत किया जाता है ।

[फा.सं. 60015/01/2006-पी आरआईडब्ल्यू-1]

शरद घोड़के, निदेशक

MINISTRY OF COAL

New Delhi, the 24th October, 2007

S.O. 3156.—Whereas the Hon'ble Supreme Court in its judgment dated the 14th July, 1998, in a Civil Appeal No. 3237 of 1998, delivered in the case of Indian Oil Corporation Limited Vs. Chief Inspector of Factories and Others, held that the ultimate owner of a factory, falling within the purview of clause (iii) to the first proviso to clause (n) of Section 2 of the Factories Act, 1948, is the Central Government and accordingly the Central Government has the absolute authority to appoint "Occupiers" of such factories;

Now, therefore, in pursuance of the powers conferred under clause (iii) of the first proviso to clause (n) of Section 2 of the Factories Act, 1948 (63 of 1948), the Central Government (Ministry of Coal) hereby appoints officers given in the Table below as "Occupier" of the respective factories/workshops of Bharat Coking Coal Limited (BCCL), having its registered office at Koyla Bhawan, Koyla Nagar, Dhanbad, a subsidiary company of the Coal India Limited;

TABLE

S. No.	Name of Factory/Workshop	Designation of Officer appointed as Occupier
1	2	3
1.	Barora Washery	
2.	Bhojudih Washery	
3.	Dugda Washery	Chief General Manager (Washeries)/General Manager (Washeries) as the case may be
4.	Patherdih Washery	
5.	Sudamdih Washery	
6.	Moonidih Washery	

1	2	3
7.	Mohuda Washery	
8.	Lodna Washery	Chief General Manager or General Manager of Lodna Area as the case may be
9.	Madhuband Washery	Chief General Manager or General Manager of Block-II Area as the case may be
10.	Bararee Coke Plant	
11.	Loyabad Coke Plant	
12.	Lodna BH and BP Plants	Officer-in-charge of coke Plants at Headquarters
13.	Bhowra BH and BP Plants	
14.	Simlabahal Bh Plant	
15.	BCCL Press	Chief General Manager (Administration)

Chairman-cum-Managing Director of the Bharat Coking Coal limited, is hereby authorised to nominate by name such officers to the respective positions who are designated as occupiers as indicated above.

[F. No. 60015/01/2006-PRIW-I]

SHARAD GHODKE, Director

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 15 अक्टूबर, 2007

का.आ. 3157.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम (4) के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :-

अनुसूची

क्रम संख्या	लाइसेंस संख्या	चालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व सम्बंधित भारतीय मानक सितम्बर 2004
1	2	3	4	5
1.	8854604	24-8-2007	मैसर्स पॉवर फ्लैक्स केबल्स एच-101, रोड 5-बी रीको औद्योगिक क्षेत्र बिन्दायका, जयपुर-302 012 (राजस्थान)	14255 : 1995 एरियल बन्ड केबल्स
2.	8854503	24-8-2007	मैसर्स पॉवर फ्लैक्स केबल्स एच-101, रोड 5-बी रीको औद्योगिक क्षेत्र बिन्दायका, जयपुर-302 012 (राजस्थान)	7098 (भाग 1) : 1988 एक्सप्लोई एन्सुलेटेड पीवीसी केबल्स
3.	8855202	24-8-2007	मैसर्स दीप मीटर्स इण्डिया प्रा. लि. जी-23, रीको औद्योगिक क्षेत्र विस्तार फेज-11, बगरू, जयपुर (राजस्थान)	13779:1999 एसी स्टैटिक वॉटऑवर मीटर्स
4.	8857509	5-9-2007	मैसर्स शगुन शॉप नं. 3, जैन मार्केट चूरू-331 001 (राजस्थान)	1417 :1999 स्वर्णाभूषणों की हॉलमार्किंग
5.	8860191	13-9-2007	मैसर्स परम महावीर पोलीमर्स प्रा. लि. जी-480, रोड नं. 9ए विश्वकर्मा औद्योगिक क्षेत्र जयपुर-302 013 (राजस्थान)	12818 :1992 यूपीवीसी स्क्रीन एण्ड के केसिंग पाईप्स फॉर बोर/ट्यूबवैल

1	2	3	4	5
6.	8859715	13-9-2007	मैसर्स परम महावीर पोलिमर्स प्रा. लि. जी-480, रोड नं. 9ए विश्वकर्मा औद्योगिक क्षेत्र जयपुर-302 013 (राजस्थान)	4985 : 2000 यूपीवीसी पाईप्स
7.	8860292	13-9-2007	मैसर्स जी. जी. पोलिप्लास्ट प्रा. लि. जी-1021-1022, फेज-III सीतापुरा औद्योगिक क्षेत्र टैंक रोड, जयपुर, (राजस्थान)	12818 : 1992 यूपीवीसी स्क्रीन एण्ड केसिंग पाईप्स फॉर बोर/ट्यूबवैल
8.	8859513	12-09-2007	मैसर्स श्री ग्राईन्डिंग यूनिट (श्री सीमेण्ट लिमिटेड की इकाई) एसपी-3/ए-11, रीको औद्योगिक क्षेत्र खुशखेडा-301 701 जिला-अलवर (राजस्थान)	1489 (भाग 1) : 1989 पोर्टलैण्ड पोजोलाना सीमेण्ट
9.	8856608	31-8-2007	मैसर्स पाईन लैमिनेट्स प्रा. लि. ए-526ए, रीको औद्योगिक क्षेत्र चौपान्की, भिवाडी जिला-अलवर (राजस्थान)	3513 (भाग 3) : 1989 रेसिन ट्रीटेड कम्प्रेस्ड वुड लैमिनेट्स
10.	8859816	05.09.2007	मैसर्स सुवा लाल एण्ड सन्स प्लॉट नं. एच-33 औद्योगिक क्षेत्र (ओल्ड) बगर, जयपुर-303007 (राजस्थान)	4984 : 1995 एचडीपीई पाईप्स
11.	8859917	10.09.207	मैसर्स जमना इण्डस्ट्रीज एफ-132 (सी) रोड नं. 14 विश्वकर्मा औद्योगिक क्षेत्र जयपुर-302013 (राजस्थान)	4984 : 1995 एचडीपीई पाईप्स
12.	8859412	12.09.2007	मैसर्स श्री ग्राईन्डिंग यूनिट (श्री सीमेण्ट लिमिटेड की इकाई) एसपी-3/ए-11 रीको औद्योगिक क्षेत्र खुशखेडा-301701 जिला-अलवर (राजस्थान)	8112 : 1989 43 ग्रेड ऑर्डिनरी पोर्टलैण्ड सीमेण्ट
13.	8864001	24.09.2007	मैसर्स सुनील इण्डस्ट्रीज एफ-43 (डी) रीको औद्योगिक क्षेत्र कालाडेरा, जयपुर (राजस्थान)	8794 : 1988 सीआईडी ज्वाइन्ट
14.	8859109	11.09.2007	मैसर्स कोठारी फ्नालैक्स लिमिटेड ई-206, रोड नं. 10 विश्वकर्मा औद्योगिक क्षेत्र जयपुर-302013 (राजस्थान)	12818 : 1988 यूपीवीसी स्क्रीन एण्ड केसिंग पाईप्स फॉर बोर/ट्यूबवैल

MINISTRY OF CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 15th October, 2007

S.O. 3157.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian standards (Certification Regulation, 1988, the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedules.

SCHEDULE

Sl. No.	Licence No. (CM/L)	Operative Date	Name and Address of the Licensee	Article/Process Covered by the licences and the relevant IS: Designation
(1)	(2)	(3)	(4)	(5)
Sep- 2007				
01.	8854604	24-08-2007	M/s. Power Flex Cables H-101, Road No. 5-B RIICO Industrial Area Bindayaka Jaipur-302012 Rajasthan.	14255 : 1995 Aerial Bunched Cables
02.	8854503	24-08-2007	M/s. Power Flex Cables H-101, Road No. 5-B RIICO Industrial Area Bindayaka Jaipur-302012 Rajasthan.	7098 (Part I) : 1988 XLPE Insulated PVC Cables
03.	8855202	24-08-2007	M/s. Deep Meters India Pvt. Ltd. G-23, RIICO Industrial Area Extn. Phase-II Bagru, Jaipur Rajasthan.	13779 : 1999 ac Static Watthour Meters
04.	8857509	05-09-2007	M/s. Shagun Shop No. 3, Jain Market Churu-331001 Rajasthan.	1417 : 1999 Hallmarking of Gold Jewellery
05.	8860191	13-09-2007	M/s. Param Mahavir Polymers Pvt. Ltd. G-480, Road No. 9A, Vishwakarma Industrial Area Jaipur-302013 Rajasthan.	12818 : 1992 UPVC screen & Casing Pipes for Bore/Tubewell
06.	8859715	13-09-2007	M/s. Param Mahavir Polymers Pvt. Ltd. G-480, Road No. 9A, Vishwakarma Industrial Area Jaipur-302013 Rajasthan.	4985 : 2000 UPVC Pipes
07.	8860292	13-09-2007	M/s. G. G. Polyplast Pvt. Ltd. G-1021, 1022, Phase-II, Shapura Industrial Area Tonk road Jaipur, Rajasthan.	12818 : 1992 UPVC screen & Casing Pipes for Bore/Tubewell
08.	8859513	12-09-2007	M/s. Shree Grinding Unit (A Unit of Shree Cement Ltd.) Khush Khara—Cement Grinding Unit SP-3/A-II, RIICO Industrial Area, Khush Khara-301701 Distt. Alwar Rajasthan.	1489 (Part I) : 1989 Portland Pozzoland Cement

(1)	(2)	(3)	(4)	(5)
09. 8856608	31-08-2007	M/s. Pipe Laminates Pvt. Ltd. A-526A, RIICO Industrial Area Chopanki,, Bhiwadi Distt. Alwar Rajasthan	3513 (Part 3): 1989 Resin Treated Compressed Wood Laminates	
10. 8859816	05-09-2007	M/s. Suva Lal & Sons Plot No. H-33 Industrial Area (Old) Bargu Jaipur-303007 Rajasthan.	4984: 1995 HDPE Pipes	
11. 8859917	10-09-2007	M/s. Jamna Industries F-132 (C), Road No. 14 Vishwakarma Industrial Area Jaipur-302013 Rajasthan.	4984: 1995 HDPE Pipes	
12. 8859412	12-09-2007	M/s. Shree Grinding Unit (A Unit of Shree Cement Ltd.) Khush Khera—Cement Grinding Unit SP-3/A-11, RIICO Industrial Area, Khush Khera-301701 Distt. Alwar Rajasthan	8112: 1989 43 Grade Ordinary Portland Cement	
13. 8864001	24-09-2007	M/s. Sunil Industries F-43, (D), RIICO Industrial Area Kaladera Jaipur Rajasthan.	8794: 1988 CID Joints	
14. 8859109	11-09-2007	M/s. Kothari Fnalex Limited E-206, Road No. 10 Vishwakarma Industrial Area Jaipur-302013 Rajasthan-302013.	12818: 1992 UPVC Screen & Casing Pipes for Bore/Tubewell	

[No. CMD/13: 11]

A. K. TALWAR, Dy. Dir.Genl. (Marks)

नई दिल्ली, 15 अक्टूबर, 2007

का.आ. 3158.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम (5) के उपनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेन्सों को उनके आगे दर्शायी गई तारीख से रद्द कर दिया गया है :-

अनुसूची

क्रम संख्या	लाइसेंस नं.	लाइसेन्सधारी का नाम व पता	लाइसेंस के अन्तर्गत वस्तु/प्रक्रम से संबंधित भारतीय मानक का शीर्षक व संबंधित भा. मा.	रद्द करने की तिथि
	सितम्बर, 2007			
1	2	3	4	5
01.	8808795	मैसर्स ईश्वर मेटल इण्डस्ट्रीज एफ-79 बी, रोड नं. 6 विश्वकर्मा औद्योगिक क्षेत्र जयपुर-302013 (राजस्थान)	398 (भाग 1) : 1996 ए.सी.एस.आर.	30.08.2007

[संख्या सी.एम.डी./13 : 13]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 15th October, 2007

S.O. 3158—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian standards (Certification) Regulation, 1988, the Bureau of Indian Standards, hereby notifies that the licence(s) particulars of which is/are given below has/have been Cancelled with effect from the date indicated.

SCHEDULE

Sl. No.	Licence No. (CM/L)	Name and Address of the Licensee	Article/Process with relevant Indian Standards covered by the licence cancelled	Date of Cancellation
(1)	(2)	(3)	(4)	(5)

SEP 2007

01.	8808795	Ishwar Metal Industries F-79 B, Road No. 6, Vishwakarma Industrial Area Jaipur-322013 Rajasthan.	398 (Part 2): 1996 ACSR	30-08-2007
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[No. CMD/13: 13]

A. K. TALWAR, Dy. Dir.Genl. (Marks)

नई दिल्ली, 16 अक्टूबर, 2007

का.आ. 3159—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम (5) के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि निम्न विवरण वाले लाइसेन्सों को उनके आगे दर्शायी गई तारीख से रद्द/स्थापित कर दिया गया है :-

अनुसूची

क्रम संख्या	लाइसेंस सं. सीएम/एल	लाइसेन्सधारी का नाम व पता	लाइसेंस के अन्तर्गत वस्तु/प्रक्रम सम्बद्ध भारतीय मानक का शीर्षक	रद्द/स्थगित करने की तिथि
1	2	3	4	5
01.	7422970	मै. जय बेवरेजीज, चूंगी नाका के बाहर, पालियाड़, बोटाड, भावनगर, गुजरात-364710	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)--विशिष्ट भामा 14543 : 2004	21.08.2007
2.	7455480	मै. बालाजी पाईपज, सर्वे सं. 187, प्लॉट सं. 4, अतुल ऑटो के सामने, राष्ट्रीय राजमार्ग 8 ब, बेराबल (शापर), राजकोट, गुजरात-360002.	पेयजल आपूर्ति के लिए अप्लास्टिक पीवीसी पाईप्स भामा 4985 : 2000	16.08.2007
3.	7679102	मै. गुजरात बेवरेजीज, जामवाड़ी जी आई डी सी के सामने, प्लॉट सं. 4, विनय तेल मिल के समीप, गोंडल, राजकोट 360311	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)--विशिष्ट भामा 14543 : 2004	28-9-2007
4.	7748701	मै. ऑल्विन इंडस्ट्रीज, सर्वे सं. 251, प्लॉट सं. 251, देवसन सेरेमिक के पीछे, बेराबल (शापर), राजकोट, गुजरात 360002	पीवीसी रोधित (हैवी इयूटी) बिजली के केबल भाग I : 1100 वोल्ट तक कार्यकारी वोल्टता के लिए भामा 1554(भाग I) : 1988	10-9-2007

1	2	3	4	5
5.	7432165	मै. सी डी प्रोडक्ट्स, सर्वे सं. 703, बावली सारा रोड, भारांगधारा, जिला सुरेंद्रनगर, गुजरात 363310	पैकेजबन्द पेय जल (पैकेजबन्द प्राकृतिक मिनरल जल के अलावा)-विशिष्ट भामा 14543 : 2004	1-8-2007
6.	7450369	जैन पोलीमरज, प्लॉट सं. जी 1065, रोड 1- अ, कुवाड़वा तालुका : लोधिका, जिला राजकोट 360003	पेयजल आपूर्ति के लिए अप्लास्टिकृत पीवीसी पाइप भामा 4985 : 2000	3-9-2007
7.	7548386	मै. नियो सेरेमिक्स, पुराना घुंटू रोड, मोरबी, जिला राजकोट गुजरात 363642	बिट्रियल सेनेटी उपस्कर भाग 3: बिट्रियल चाईना बैठकर शौचादि के लिए पात्र भामा 2556 (भाग 3) : 2004	3-9-2007
8.	7549186	मै. पद्यमावती प्लास्टिक इंडस्ट्रीज, प्लॉट सं. 139/10, जी आई डी सी, लामबडी, सुरेंद्रनगर गुजरात 363421	भामा 14151 (भाग 2) : 1999 सिंचाई उपस्कर-3-9-2007 स्प्रिंकलर पाइप-विशिष्ट-भाग 2 सहज संयोजी पोलीएथिलीन पाइप भामा 14151 (भाग 2): 1999	
9.	7644483	मै. नर्मदा पाइपज, सर्वे सं. 211, प्लॉट सं. 1, गाँव वेरावल (शापर), तालुका : कोटडा संचानी, जिला राजकोट, गुजरात 360002	सिंचाई उपस्कर- स्प्रिंकलर पाइप-विशिष्ट-भाग 2 सहज संयोजी पोलीएथिलीन पाइप भामा 14151 (भाग 2): 1999	31.8.2007
10.	7374682	मै. लोहित बोर्डज एवं पैनलज प्रा. लि., सर्वे सं. 312/1, पार्ट ब, गाँव नानी चिराई, तालुका : भचाऊ, कच्छ, गुजरात	सामान्य प्रयोजनों के लिए प्लाईवूड भामा 303 : 1975	6-9-2007

[सं. सी.एम.डी./13 : 13]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 16th October, 2007

S.O. 3159—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian standards (Certification) Regulation, 1988, of the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given below have been Cancelled/suspended with effect from the date indicated against each :

SCHEDULE

Sl. No.	Licence No. CM/L-	Name and Address of the Licensee	Article/Process with relevant Indian Standards covered by the Licence	Date of Cancellation/ the licence cancelled/ suspension
(1)	(2)	(3)	(4)	(5)
1.	CM/L-7422970	M/s Jay Beverages Outside Octroi NaKa, Paliyad, Botad, Bhavnagar, Gujarat-364710	Packaged Drinking water (other than packaged natural mineral water)-IS 14543 : 2004	21-08-2007
2.	CM/L-7455480	M/s Balaji Pipes Survey No. 187, Plot No. 04 Opp. Atul Auto, NH 8B, Veraval (Shapar), Distt. Rajkot Gujarat-360002	Unplasticized PVC Pipe for potable water supplies specification IS 4985 : 2000	16-08-2007
3.	CM/L-7679102	M/s Gujarat Beverages Opp. Jamwadi GIDC, Plot No. 4, Nr. Vinay Oil Mill, Gondal Rajkot, Gujarat-360311	Packaged Drinking water (other than packaged natural mineral water)-IS 14543 : 2004	28-09-2007

1	2	3	4	5
4.	CM/L-7748701	M/s Allwyn Industries Survey No. 251, Plot No. 7, B/H Devson Ceramics, Shapar (Veraval) Rajkot Gujarat	PVC Insulated (Heavy Duty) Electric Cables: Part 1 for working Voltages Upto and Including 1100 V IS 1554 : Part: 1988	10-9-2007
5.	CM/L-7432165	M/s CD Products Survey No. 703, Bavisara Road, Dhrangadhra, Dist. Surendranagar Gujarat-363310	Packaged Drinking water (other than packaged Natural Mineral water)- IS 14543 : 2004	01-08-2007
6.	CM/L-7450369	M/s Zen Polymers Plot No. G-1065, Road I-A, Taluka-Lodhika, Kuwadva, Distt. Rajkot, Gujarat-360003	Unplasticized PVC Pipes for Potable water supplies IS 4985 : 2000	03-09-2007
7.	CM/L-7548386	M/s Neo Ceramics, Old Ghuntu Road, Morbi, Distt. Rajkot, Gujarat-363642	Vitreous Sanitary Appliances (Viterous China)-Specification, Part 3 : Specific Requirements of Squatting Pans IS 2556-Part3: 2004	03-09-2007
8.	CM/L-7549186	M/s Padmavati Plastic Industries Plot No. 139/10, GIDC, Limbdi, Surendranagar, Gujarat-363421	Irrigation Equipment-Sprinkler Pipes- Specification Part 2 : Quick Coupled Polyethylene Pipes IS 14151 : Part 2: 1999	03-09-2007
9.	CM/L-7644483	M/s Narmada Pipes Survey No. 211, Plot No. 1, Vill. Varaval (Shapar), Taluka : Kotda Sangani, Distt. Rajkot, Gujarat-360002	Irrigation Equipment-Sprinkler Pipes- Specification Part 2 : Quick Coupled Polyethylene Pipes IS 14151 : Part 2: 1999	31-08-2007
10.	CM/L-7374682	M/s Lohit Boards & Pannels Pvt. Ltd. Survey No. 312/1, Part B, Village-Nani, Chirai, Tal : Bhachau Kachchh, Gujarat	Plywood for General Purposes IS 303: 1989	06-09-2007

[No. CMD/13 : 13]

A. K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 16 अक्टूबर, 2007

का.आ. 3160—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद द्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (को) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (को) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
1	2	3	4
1.	आई एस 1248 (भाग 2) 2007 की संशोधन संख्या 1	1, अगस्त, 2007	31 अगस्त, 2007
2.	आई एस 1248 (भाग 3) 2007 की संशोधन संख्या 1	1, अगस्त, 2007	31 अगस्त, 2007
3.	आई एस 1248 (भाग 4) 2007 की संशोधन संख्या 1	1, अगस्त, 2007	31 अगस्त, 2007
4.	आई एस 1248 (भाग 5) 2007 की संशोधन संख्या 1	1, अगस्त, 2007	31 अगस्त, 2007
5.	आई एस 1248 (भाग 6) 2007 की संशोधन संख्या 1	1, अगस्त, 2007	31 अगस्त, 2007
6.	आई एस 1248 (भाग 8) 2007 की संशोधन संख्या 1	1, अगस्त, 2007	31 अगस्त, 2007

इस भारतीय संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. ईटी 12, टी-57, 60, 61, 62, 64]

तिथि : 16-10-2007

पी. के. मुखर्जी, वैज्ञ. एफ एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 16th October, 2007

S.O. 3160.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

S.No.	No. & Year of the Indian Standards	No. & year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 1248 (Part 2) : 2003 Direct acting indicating Analogue Electrical measuring Instruments and their accessories Part 2 Special requirements for ammeters and voltmeters (Third Revision)	1 August, 2007	31 August, 2007
2.	IS 1248 (Part 3) : 2003 Direct acting indicating Analogue Electrical measuring Instruments and their accessories Part 3 Special requirements for wattmeters and varmeters (Third Revision)	1 August, 2007	31 August, 2007
3.	IS 1248 (Part 4) : 2003 Direct acting indicating Analogue Electrical measuring Instruments and their accessories Part 4 Special requirements for frequency meters (Third Revision)	1 August, 2007	31 August, 2007
4.	IS 1248 (Part 5) : 2003 Direct acting indicating Analogue Electrical measuring Instruments and their accessories Part 5 Special requirements for phase meters, power factor meters and synchrosopes (Third Revision)	1 August, 2007	31 August, 2007
5.	IS 1248 (Part 6) : 2003 Direct acting indicating Analogue Electrical measuring Instruments and their accessories Part 6 Special requirements for ohmmeters (Impedance meters) and conductance meter (Third Revision)	1 August, 2007	31 August, 2007
6.	IS 1248 (Part 8) : 2003 Direct acting indicating Analogue Electrical measuring Instruments and their accessories Part 8 Special requirements for accessories (Third Revision)	1 August 2007	31 August, 2007

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch offices: Amedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. ET 12/T-56, T-57, T-60, T-61, T-62, T-64]

P.K. MUKHERJEE, Sc. F&Head (Elec. Tech.)

नई दिल्ली, 18 अक्टूबर, 2007

का.आ. 3161.— भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

सितम्बर 2007 में स्वीकृत किये गये अनुज्ञप्ति

क्रम संख्या	लाइसेंस संख्या	लाइसेंस का नाम तथा पता	उत्पाद का नाम तथा आई एस	अनुज्ञप्ति स्वीकृत करने की तिथि
1	2	3	4	5
1.	7779611	पारिख तथा दलाल केबल इंडस्ट्रीज, प्लॉट नंबर 3226, जी आई डी सी, फेस 4, वटवा, अहमदाबाद-382 445	पी वी सी इंसुलेटिड केबल आई एस 694 : 1990	07-09-2007
2.	7775805	सोनी चंद्रकांत मंगलदास, 1373, मेन बाजार, पी ओ थारड, बंसकांटा-385565	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	05-09-2007
3.	7776504	लक्ष्मी ज्वैलर्स, 11-ए, शिवानी एवेन्यू, एमको बैंक के सामने, जवाहर चौक, चार रस्ता, मणीनगर, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	11-09-2007
4.	7776605	आई श्री खोडियार ज्वैलर्स, 483/7, मंदिर वास, शाक मार्केट, नवा वाडेज, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	11-09-2007
5.	7776706	गोल्ड स्टार ज्वैलर्स, सी 205, टाइम स्क्वेयर बिल्डिंग, रतनाम बिल्डिंग के पास, सी जी रोड, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	11-09-2007
6.	7778104	सोनी रमनलाल गिरधरलाल, 4/3/2 मेन बाजार, रानपुर पी ओ रानपुर, डिस्ट्रिक्ट अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	14-09-2007
7.	7778205	सोनी दामोदरदास मोहनलाल तथा संस, 28/1/1, रतनपोल, गांधी रोड, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	14-09-2007
8.	7778811	श्री जी ज्वैलर्स, अंबाजीमाता रोड, चोकसी बाजार, बड़ोदा-391440	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	14-09-2007
9.	7778912	कांतिलाल तथा बदर्स ज्वैलर्स, बीसाइड अनमोल काम्प्लैक्स, सरगाम शॉपिंग सेंटर के पास, एसवीआर कालेज, सूरत	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	19-09-2007
10.	7779005	नटराज गोल्ड पैलेस, 4/13/87/10, अपना बाजार बहार, भामरिया नाला बाजार, बी के रोड, मेहसाना	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	19-09-2007
11.	7779308	मीना आर्ट ज्वैलर्स, गायत्री शॉपिंग सेंटर, पहली मंजिल, स्टेशन रोड, वलसाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	19-09-2007

1	2	3	4	5
12.	7779510	द्वारकेश ज्वैलर्स, 6, द्वारकेश काम्पलैक्स, खोडियार नगर, जलदीप पार्क के सामने, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	19-09-2007
13.	7780996	राजस्थान ज्वैलर्स, 27, 28 (एफ एफ) शुभ काम्पलैक्स, राजस्थान अस्पताल के पास, शाहीबाग, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	26-09-2007
14.	7779106	गोल्ड स्टार ज्वैलर्स, सी 205, टाइम स्कवेयर बिल्डिंग, रतनाम बिल्डिंग के पास, सी जी रोड, अहमदाबाद	चांदी एवं चांदी मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 2112 : 2003	19-09-2007
15.	7779409	मीना आर्ट ज्वैलर्स, गायत्री शॉपिंग सेंटर, पहली मंजिल, स्टेशन रोड, वलसाद	चांदी एवं चांदी मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 2112 : 2003	19-09-2007
16.	7778609	फोर्ज तथा बलावर इंडस्ट्रीज लिमिटेड, गाँव चांगोदर, ता सानंद, सरखेज बावला हाइवे, अहमदाबाद	हारीजेंटल सेंटरिकयूजल पम्प फार क्लीयर, कोल्ड वाटर पार्ट 1 एग्रीकल्चर तथा रूलर वाटर स्पलाई परपस 6595 पार्ट 1 : 2006	19-09-2007
17.	7777203	मेधा पम्प 13, घनश्याम एस्टेट, एल बी एस स्टेडियम के पीछे, मरघा फार्म, बापूनगर, अहमदाबाद	सबमर्सिबल पम्पसैट आई एस 8034 : 2002	12-09-2007
18.	7777607	भाग्यलक्ष्मी पम्प इंडस्ट्रीज, सी/1/20, जी आई डी सी, नरोडा, फेस 2, बैंक आफ बड़ोदा के पास अहमदाबाद-382 3230	सबमर्सिबल पम्पसैट आई एस 8034 : 2002	12-09-2007
19.	7780592	आदर्श प्लांट प्रोटेक्ट लिमिटेड, वी यू नगर, 604, जी आई डी सी, विठठल उद्योगनगर, आनंद	मैन्यूयली ओपरेटिड फर्टीलाइजर ब्राडकास्टर आई एस 12337 : 1988	24-09-2007
20.	7778407	मदर डेरी प्लाट नंबर 35, इंदिरा ब्रीज के पास, प्लासमा रिसर्च इंस्टीच्यूट, गाँव भाट गांधीनगर	पाटली स्कीमड मिल्क पाउडर 14542 : 1988	17-09-2007
21.	7776197	ए सी बिजनेस, 42, आदर्श स्कूल के सामने, कुबेरनगर, नरोडा, अहमदाबाद	पैकेजबंद पेयजल आई एस 1453 : 2004	10-09-2007
22.	7781392	श्री पारस ज्वैलर्स, नागरिक बैंक के पास, छोटा बाजार, भारूच-393 001	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	27-09-2007
23.	7781493	पायल ज्वैलर्स, 16/3, अरविंद भव को-ओपरेटिव हाउसिंग सोसाइटी, रानिप शाक मार्केट, अहमदाबाद	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	27-09-2007
24.	7782091	अंबिका ज्वैलर्स, पंचायत रोड बाजार, दांता, बंसकांटा-385120	स्वर्ण एवं स्वर्ण मिश्र धातुओं के आभूषणों/ शिल्पकारी शुद्धता एवं मुहरांकन आई एस 1417 : 1999	27-09-2007

1	2	3	4	5
25.	7781089	भवानी हैल्थकेयर 75, पटेल नगर सोसाइटी, ए. के. रोड, सूरत-395 006	पैकेजबंद पेयजल 14543 : 2004	27-09-2007

[सं. सी. एम डी/ 13 : 11]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 18th October, 2007

S.O. 3161—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian standards (Certification) Regulation, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedules. :

SCHEDULE**Licence Granted for the month of September 2007**

S.No.	Licence No.	Licensee Name	Product & IS No.	Date of GOL
1	2	3	4	5
1	7779611	Parikh & Dalal Cable Industries Plot No. 3226, GIDC Phase-4, Vatva, Ahmedabad-382 445	PVC Insulated Cables IS 694 : 1990	07-09-2007
2	7775805	Soni Chandrakant Mangaldas, 1373, Main Bazar PO Tharad Banaskantha-385565	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	05-09-2007
3	7776504	Laxmi Jewellers 11-A, Shivani Avenue, Opposite AMCO Bank, Jawahar Chowk, Char Rasta, Maninagar, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	11-09-2007
4	7776605	AAI Shree Khodiyar Jewellers 483/7, Mandir Vas, Shak Market Nava Vadaj, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	11-09-2007
	7776706	Gold Star Jewellers C/205, Time Square Bldg., Near Ratnam Bldg. C G Road, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	11-09-2007
5	7778104	Soni Ramanlal Girdharlal 4/3/2 Main Bazar Ranpur PO Ranpur, Dist Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	14-09-2007
6	7778135	Soni Damodardas Mohanlal & Sons 28/1/1 Ratanpole Gandhi Road, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	14-09-2007
7	7778811	Shreeji Jewellers Ambajimata Road, Chokshi Bazar, Vadodara-391440	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	14-09-2007
8	7778945	Kantilal & Bros Jewellers Beside Anmol Complex Near Sangam Shopping Centre SVR College, Beside Anmol Complex, Surat	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	19-09-2007
9	7779005	Natraj Gold Palace 4/13/87/10, Apna Bazar Bahar, Bhamariya Nala Bahar, B K Road, Bhamariya Nala Bahar, Mehsana	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	19-09-2007
10	7779405	Meena Art Jewellers Gayatri Shopping Centre First Floor, Station Road, Valsad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417 : 1999	19-09-2007

1	2	3	4	5
12.	7779510	Dwarkesh Jewellers 6, Dwarkesh Complex Khodiyar Nagar, Opp. Jaldeep Park, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417: 1999	19-09-2007
13.	7780996	Rajasthan Jewellers 27, 28, (FF), Shubh Complex, Near Rajasthan Hospital Shahibaug, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417: 1999	26-09-2007
14.	7779106	Gold Star Jewellers C/205, Time Square Bldg. Near Ratnam Building, C. G. Road, Ahmedabad	Silver and Silver Alloys, Jewellery/ Artefacts-Fineness and Marking IS 2112: 2003	19-09-2007
15.	7779409	Meena Art Jewellery Gayatri Shopping Centre, First Floor, Station Road, Valsad	Silver and Silver Alloys, Jewellery/ Artefacts-Fineness and Marking IS 2112: 2003	19-09-2007
16.	7778609	Forge & Blower Industries Limited Village-Changodar, TA : Sanand, Sarkhej-Bavla Highway, Ahmedabad	Horizontal Centrifugal Pumps for clear, Cold Water-Specification-Part I : Agricultural and Rural Water Supply Purposes 6595 : Part I : 2006	19-09-2007
17.	7777203	Megha Pumps 13, Ghanshyam Estate, B/H L.B.S. Stadium, Nr. Margha Farm, Bapunagar, Ahmedabad	Submersible Pumpsets IS 8034: 2002	12-09-2007
18.	7777607	Bhagyalaxmi Pump Industries C/1/20, GIDC Naroda Phase-II, Nr. Bank of Baroda	Submersible Pumpsets IS 8034: 2002	12-09-2007
19.	7780592	Adarsh Plan Protect Ltd. V U Nagar 604, GIDC Vitthal Udyognagar Anand	Manually Operated Fertilizer Broadcaster 12337: 1988	24-09-2007
20.	7778407	Mother Dairy Plot No. 35, Nr. Indira Bridge, Nr. Plasma Research Instt., Village : Bhat, Dist. Gandhinagar	Partly Skimmed milk Powder 14542: 1998	17-09-2007
21.	7776197	AC Beverages 42, Opp. Adarsh School, Kubernagar, Naroda, Ahmedabad	Packaged Drinking Water IS 14543: 2004	10-09-2007
22.	7781392	Shree Paras Jewellers Near Nagaric Bank Chauta Bazar, Bharuch-393001	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417: 1999	27-09-2007
23.	7781493	Payal Jewellers 16/3, Arvind Buch Co-op Housing Society, Ranip Shak Market, Ahmedabad	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417: 1999	27-09-2007
24.	7782091	Ambica Jewellers Panchayat Road, Bazar, Danta Banaskantha-385120	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS 1417: 1999	27-09-2007
25.	77810289	Bhavani Healthcare 75, Patel Nagar Society, A.K. Road, Surat-395 006	Packaged Drinking Water 14543: 2004	27-09-2007

नई दिल्ली, 19 अक्टूबर, 2007

का. आ. 3162.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 6 के उपविनियम (3) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अनुसूची में दिए गये उत्पादों की मुहरांकन शुल्क अधिसूचित करता है :-

अनुसूची

भारतीय मानक सं.	भाग	अनु.	वर्ष	उत्पाद	इकाई	न्यूनतम शुल्क	मुहरांकन	इकाई दर	स्लैब 1 में इकाइयों	इकाई दर	स्लैब 2 में इकाइयों	इकाई दर	प्रचालन तिथी
						बड़े पैमाने पर रु.	छोटे पैमाने पर रु.	स्लैब 1	इकाइयों	स्लैब-2	इकाइयों	शेष	
13314	0	0	1992	संचायक बैटरी चालित सॉलिड स्टेट प्रतीपक	एक अद्	120000	102000	7.00	15000	3.50	15000	1.75	24-9-07
15658	0	0	2006	खंडजे के लिए पूर्व ढलित कंक्रीट ब्लॉक	100 ब्लॉक	43000	36600	2.00	सभी	—	—	—	24-9-07

[संख्या केप्रवि/13:10]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 19th October, 2007

S. O. 3162.—In pursuance of sub-regulation(3) of regulation 6 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the Marking fee for the products given in the Schedule:

SCHEDULE

IS.No.	Part	Sec.	year	Product	Units	Minimum Marking Fee		Unit Rate	Units in	Unit Rate	Units in	Re-maining	Effective
						Large	Small	Slab-1	Slab1	Slab-2	Slab-2		Date
							Scale	Scale					
							Rs.	Rs.					
13314	0	0	1992	Solid State Inverter Run from storage Batteries	One Piece	120000	102000	7.00	15000	3.50	15000	1.75	24-9-07
15658	0	0	2006	Precast Concrete Blocks for Paving	100 Blocks	43000	36600	2.00	All	—	—	—	24-9-07

[No. CMD/13:10]

A. K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3163.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम (4) के उप-विनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या	स्वीकृत करने की तिथि/वर्ष/माह	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा. मा. संख्या, भाग, अनु. वर्ष
1.	9617692	02 अगस्त, 07	श्री कृष्णा कैटल फीड 1003, महाराजपुर, डाकखाना: तातियागन्ज, तहसील: बिल्हौर, कानपुर नगर	स्पेसिफिकेशन फार कम्पाउन्डेड फीड्स फार कैटल्स	2052 — — 1979
2.	9620984	13 अगस्त, 07	कृष्णा उद्योग, उद्योग नगर, वृन्दावन, मथुरा	कन्ड्यूट्स फार इलेक्ट्रिकल्स इन्स्टालेशन्स, रिजिड प्लेन कन्ड्यूट्स आफ इन्सुलेटिंग मैटीरियल्स	9537 3 — 1983
3.	9617591	14 अगस्त, 07	प्रीमियर एलायज लि. बी 54 व 55, यूपीएसआईडीसी इण्डस्ट्रियल एरिया, मलवां, फतेहपुर	यू.पी.वी.सी. पाइप्स	4985 — — 2000
4.	9626794	17 सितम्बर, 07	बन्सल वायर्स प्रा.लि., प्लॉट नं. 492-496, भौती, कालपी रोड, कानपुर नगर	स्पेसिफिकेशन फार इन्डेन्टेड वायर फार प्रिस्टेस्ड कंक्रीट	6003 — — 1983
5.	9624285	18 सितम्बर, 07	हरदयाल मिल्क प्रोडक्ट्स बुडराय इटा रोड, फिरोजाबाद,	स्किम्ड मिल्क पावडर स्टैंडर्ड ग्रेड	13334 1 — 1998

[संख्या सीएम डी/13:11]

ए. के. तलवार, उप महानिदेशक (मुहर)

New Delhi, the 22nd October, 2007

S. O. 3163.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988 of the Bureau of Indian Standards, hereby notifies the grant of licences from August to September, 2007 particulars of which are given in the following schedule :—

SCHEDULE

Sr. No.	Licence No.	Grant Date	Name & Address of the Party	Title of the Standard	IS No. Part, Section and Year
1.	9617692	02 Aug., 2007	Shree Krishna Cattle Feed Industries, 1003 Maharajpur, P.O. Tatiyaganj, The: Bilhaur Kanpur Nagar	Specification for Compounded Feed for Cattle	2052 — — 1979
2.	9620984	13 Aug., 2007	Krishna Udyog, Udyog Nagar, Vrindavan, Mathura	Conduites for electricals installations Rigid plain conduits of insulating materials	9537 3 — 1983
3.	9617591	14 Aug. 2007	Premier Alloys Ltd., B 54 & 55, UPSIDC Indl. Area, Malwan, Fatehpur	UPVC Pipes	4985 — 2000
4.	9626794	17 Sep., 2007	Bansal Wires(P) Ltd., Plot No. 492-496, Bhauti Kalpi Road, Kanpur Nagar	Specification for indented Wire for prestressed concrete	6003 — 1983
5.	9624285	18 Sep., 2007	Hardayal Milk Products, Budrai Etah Road, Firozabad, Shikohabad	Skimmed Milk Powder Standard Grade	13334 1 — 1998

[No. CMD/13:11]

A. K. TALWAR, Dy. Director General (Marks)

नई दिल्ली, 23 अक्टूबर, 2007

का. आ. 3164.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1998 के विनियम 4 के उप-विनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गये हैं को लाइसेंस प्रदान किए गए हैं :

अनुसूची

क्रम सं.	लाइसेंस संख्या	वैध तिथि	पार्टी का नाम एवं पता (कारखाना)	उत्पाद	आई एस सं./भाग/खण्ड/वर्ष
1	2	3	4	5	6
1.	7775704	05-09-2008	धरम इंडस्ट्रीज, 244-ई, मुंबई टॉकीज कंपाउंड, एस वी रोड, मालाड-पश्चिम, मुंबई-400064	घरेलू और समान प्रयोजनों के लिए स्विचें	3854 : 1997
2.	7775195	04-09-2008	नॅशनल प्रोडक्ट्स, गाला सं. 21, 22 और 26, शंकरदास इण्डस्ट्रियल इस्टेट, खेमानी, ओटी सेक्शन, उल्हासनगर, थाने-421 002	1100 वो. तक एवं सहित कार्यकारी वोल्टता के लिए पीवीसी रोधित केबल	694 : 1990
3.	7780693	24-09-2008	नवशक्ति अप्लाइंसेस, प्लॉट सं. 3/डी-5, मुलुंड क्लास सोसाइटी, म्हाडा कॉलनी, मुलुंड पूर्व, मुंबई-400 081	बिजली के घरेलू खाद्य मिक्सर (द्रवीपरक और ग्राइंडर)	4250 : 1980
4.	7777809	12-09-2008	सिटीजन स्केल इंडिया प्रा. लि., 231-232 लक्ष्मी प्लाजा, लक्ष्मी इंडस्ट्रियल इस्टेट, न्यू लिंक रोड, अंधेरी-पश्चिम, मुंबई-400 058	इलेक्ट्रॉनिक वजन काँटा पद्धति-भाग 3 अपेक्षाएं	9281 : भाग 3 : 1981

[संख्या के. प्र. वि./13 : 11]

ए. के. तलवार, उपमहानिदेशक (प्रमाणन)

New Delhi, the 23rd October, 2007

S.O. 3164.—In pursuance of sub-regulation (5) of regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given below in the following Schedule :

SCHEDULE

Sl. No.	Licence No.	Validity Date	Name and Address (factory) of the Party	Product	IS No./Part/Sec./ Year
1	2	3	4	5	6
1.	7775704	05-09-2008	Dharam Industries 244-E, Bombay Talkies Compound, S.V. Road, Malad West Mumbai-400064	Switches for domestic and similar purposes	3854 : 1997
2.	7775195	04-09-2008	National Products Gala No. 21, 22 & 26, Shankardas Indl Estate, Khemani, O.T. Section Ulhasnagar, Thane-421002	PVC Insulated cables for working voltages upto and including 1100 V.	694 : 1990
3.	7780693	24-09-2008	Navshakti Appliances Plot No. 3/D-5, Mulund Kalas Society, Mhada Colony, Mulund-E, Mumbai-400081	Specification for Domestic Electric Food-Mixers (Liquidizes and Grinder)	4250 : 1980

1	2	3	4	5	6
4.	7777809	12-09-2008	Citizen Scale (I) PVT Ltd., 231-232 Laxmi Plaza, Laxmi Indl., Estate, New Link Road, Andheri-W Mumbai-400058	Specification for Electronic Weighing Systems-Part 3 Requirements	9281 : Part 3 : 1981

[No. CMD/13:11]

A. K. TALWAR, Dy. Director, (Marks)

नई दिल्ली, 23 अक्टूबर, 2007

का. आ. 3165.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1998 के विनियम 5 के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अधिसूचित करता है कि जिनके विवरण नीचे अनुसूची में दिए गये हैं को उनके आगे दर्शाई गई तिथि से रद्द कर दिया गया है :

अनुसूची

क्रम सं.	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	लाइसेंस के अंतर्गत वस्तु/प्रक्रम संबद्ध भारतीय मानक सहित	रद्द करने की तिथि
1	2	3	4	5
1.	7749194	जे एन इण्डस्ट्रीज 16/डी, अनवर इण्डस्ट्रियल वेलफेअर असोसिएशन, मुकादम कंपाऊड के पास, फिल्म सिटी रोड, गोकुलधाम, मालाड-पूर्व, मुंबई 400 097	1554 : Part 1 : 1988 1100 वो तक कार्यकारी वोल्टता के लिए पीवीसी रोधित (हैवीड्यूटी) विद्युत केबल (भाग 1)	21-09-2007
2.	7743990	तिरुपती बालाजी और कंपनी प्लॉट सं. 227/2/2, भिवंडी वाडा रोड, विलेज खुपरी, वाडा, थाने 421 312	1554 : Part 1 : 1988 1100 वो तक कार्यकारी वोल्टता के लिए पीवीसी रोधित (हैवीड्यूटी) विद्युत केबल (भाग 1)	19-09-2007

[संख्या केन्द्रीय प्रमाणन विभाग/13 : 13]

ए. के. तलवार, उपमहानिदेशक (प्रमाणन)

New Delhi, the 23rd October, 2007

S.O. 3165.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given in the following schedule have been cancelled with effect from the date indicated against each :

SCHEDULE

Sl. No.	Licence No.	Name and Address of the licensee	Article/Process with relevant Indian Standard covered by the licence cancelled	Date of Cancellation
1	2	3	4	5
1.	7749194	J.N. Industries 16/D, Anwar Indl. Welfare Association, Nr. Mukadam Comp., Film City Road, Gokuldham Malad(E), Mumbai Mumbai-400097	IS 1554 : Part 1 : 1988 PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1100 V	21-09-2007
2.	7743990	Tirupati Balaji & Co Plot No. 227/2/2, Bhiwandi- wada Rd, Village Khupari, Wada, Thane-421312	IS 1554 : Part 1 : 1988 PVC insulated (heavy duty) electric cables : Part 1 For working voltages upto and including 1100 V	19-09-2007

[No. CMD/13:13]

A. K. TALWAR, Dy. Director, (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 22 अक्टूबर, 2007

का.आ. 3166.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएंस इन्डस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में संरचनाओं से आन्ध्रप्रदेश राज्य में कृष्णा जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलाएंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री के. गंगाचलम, सक्षम प्राधिकारी, रिलाएंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड, 67-11-21/2, सावित्रा, न्यू सेंचरी पब्लिक स्कूल के सामने, एल. बी. नगर, काकिनाडा, पूर्वी गोदावरी जिला, आन्ध्र प्रदेश राज्य-533003 को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल : बागुलपाड़ा	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश			
गांव का नाम	सर्वे सं./सब डिविजन सं.	आर ओ यू अर्जित करने के लिए क्षेत्रफल	हेक्टेयर	एयर	सि एयर
1	2	3	4	5	
(1) मेडिबेरला	132/2	0	05	35	
	1*	0	08	70	
	114*	0	24	45	
मंडल : नृजिबिडु	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश			
(1) वोंपाडु	20/2*	0	08	45	
	33/1*	0	04	35	
	52/2*	0	04	15	
	52/3*	0	00	65	
	82/2*	0	03	20	
	82/3*	0	03	95	
	84/2*	0	02	45	
	84/6*	0	01	30	
	86	0	00	50	
	108*	0	00	10	
	111/1*	0	00	10	
	162*	0	00	20	
	178*	0	27	50	

1	2	3	4	5
(2) मोरसापूडि	222/1*	0	02	60
	242/2ए*	0	11	25
	167/2*	0	32	35
(3) पेलसानपल्लि	13*	0	61	05
(4) रविचोरला	57/1*	0	09	00
	58/1*	0	02	65
	58/4*	0	00	20
	58/6*	0	00	30
	71/1	0	02	05
	104*	0	00	10
	210/3*	0	03	25
	229/6*	0	15	10
	230/1*	0	01	25
	264/5*	0	15	55
	264/8*	0	00	95
मंडल : आगिरिपल्लि	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
(1) वटिगुडिपाडु	47/8सी*	0	00	90
	321/4*	0	06	25
	324/3*	0	03	20
	324/6*	0	07	95
	325/3*	0	07	10
(2) एडारा	957/2*	0	00	10
	962*	0	01	00
	977*	0	43	25
(3) बोडडनपल्लि	92/3	0	39	00
	181*	0	04	35
	183/4*	0	01	00
मंडल : जी. कोंडु	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
(1) कोंडु	427**	0	01	00
(2) वेल्लादु	579/1बी**	0	01	40
	583**	0	00	25
(3) कुंटुमुक्काला	456**	0	01	75
	443/2**	0	02	60
	478/1**	0	00	15
(4) चेवुदूर	221/3ए**	0	00	25
	347/2**	0	27	00
(5) जी. कोंडु	61/2**	0	00	30
(6) गडडामनगु	8/4**	0	45	05
(7) मुनगापाडु	45/इ2**	0	00	20
	76/1**	0	04	05
	95/1**	0	01	05
(8) सुन्नपाडु	98/5ए**	0	00	10
(9) गगिनेनिपालेम	208/2**	0	00	10
मंडल : वीरुलापाडु	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
(1) गुडम माधावरम	153/2बी**	0	13	00
	149/2बी**	0	14	55
	107/3**	0	00	75
	142/3**	0	00	70
	105/3**	0	01	30

1	2	3	4	5
(2) जयति	536**	0	00	45
मंडल : पेनुगिप्रोत्तु	जिला : कृष्णा	राज्य : आन्ध्र प्रदेश		
(1) पेनुगिप्रोत्तु	397/7ए***	0	07	00
	735/6@	0	09	15
	361***	0	31	20
	498/4बी***	0	00	10

* का. आ. 1650 दिनांक 09.06.2003 में 3(1) की अधिसूचना का अतिरिक्त क्षेत्रफल

** का. आ. 1611 दिनांक 30.05.2003 में 3(1) की अधिसूचना का अतिरिक्त क्षेत्रफल

*** का. आ. 1757 दिनांक 16.06.2003 में 3(1) की अधिसूचना का अतिरिक्त क्षेत्रफल

@ का. आ. 4824 दिनांक 28.12.2005 में 3(1) की अधिसूचना का अतिरिक्त क्षेत्रफल

[फा. सं. एल-4014/17/2003-जी. पी.]

एस. बी. मण्डल, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 22nd October, 2007

S.O. 3166.—Whereas it appears to the Central Government that it is necessary in the public interest that for transportation of natural gas from the structures in Andhra Pradesh of M/s Reliance Industries Limited, to the various consumers of District Krishna in the State of Andhra Pradesh, a pipeline should be laid by M/s. Reliance Gas Transportation Infrastructure Limited;

And whereas, it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed here to;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of Right of the User therein for laying the pipeline under the land to Shri K. Gangachalam, Competent Authority, Reliance Gas Transportation Infrastructure Limited, D. No. : 67-11-21/2, Savisuja, Opp. New Century Public School, L.B. Nagar, Kakinada-533003, East Godavari District, Andhra Pradesh State.

SCHEDULE

Mandal : Bapulapadu District : Krishna State : Andhra Pradesh

Village Survey No./Sub-Division No. Area to be acquired for RoU

		Hectare	Are	C-Are
1	2	3	4	5
(1) Medicherla	132/2	0	05	35
	1*	0	08	70
	114*	0	24	45

Mandal : Nuzvid District : Krishna State : Andhra Pradesh

(1) Vempadu	20/2*	0	08	45
	33/1*	0	04	35
	52/2*	0	04	15
	52/3*	0	00	65
	82/2*	0	03	20
	82/3*	0	03	95
	84/2*	0	02	45
	84/6*	0	01	30
	86	0	00	50
	108*	0	00	10
	111/1*	0	00	10
	162*	0	00	20
	178*	0	27	50
	222/1*	0	02	60
(2) Morsapudi	242/2A*	0	11	25
	167/2*	0	32	35
(3) Polasanapalli	13*	0	61	05
(4) Ravicherla	57/1*	0	09	00
	58/1*	0	02	65
	58/4*	0	00	20
	58/6*	0	00	30
	71/1	0	02	05
	104*	0	00	10
	210/3*	0	03	25
	229/6*	0	15	10
	230/1*	0	01	25
	264/5*	0	15	55
	264/8*	0	00	95

Mandal : Agiripalli District : Krishna State : Andhra Pradesh

(1) Vattigudipadu	47/8C*	0	00	90
	321/4*	0	06	25
	324/3*	0	03	20
	324/6*	0	07	95
	325/3*	0	07	10
(2) Edara	957/2*	0	00	10
	962*	0	01	00
	977*	0	43	25
(3) Boddanapalli	92/3	0	39	00
	181*	0	04	35
	183/4*	0	01	00

Mandal : G. Konduru District : Krishna State : Andhra Pradesh

(1) Koduru	427*	0	01	00
(2) Vellaturu	579/1B**	0	01	40
	583**	0	00	25
(3) Kuntamukkala	456**	0	01	75
	443/2**	0	02	60
	478/1**	0	00	15
(4) Chevuturu	221/3A**	0	00	25
	347/2**	0	27	00
(5) G. Konduru	61/2**	0	00	30

1	2	3	4	5
(6) Gaddamanuga	8/4**	0	45	05
(7) Munagapadu	45/E2**	0	00	20
	76/1**	0	04	05
	95/1**	0	01	05
(8) Sunnampadu	98/5A**	0	00	10
(9) Gandinenipalem	208/2**	0	00	10

Mandal : Veerulapadu District : Krishna State : Andhra Pradesh

(1) Gudemma- dhavaram	153/2B**	0	13	00
	149/2B**	0	14	55
	107/3*	0	00	75
	142/3**	0	00	70
	105/3**	0	01	30
(2) Jayanthi	536**	0	00	45

Mandal : Penuganchiprolu District : Krishna State : Andhra Pradesh

(1) Penugan- chiprolu	397/7A***	0	07	00
	735/6@	0	09	15
	361/2***	0	31	20
	498/4B***	0	00	10

* Additional area to 3(1) Notification SO 1650 dated 09-06-2003

** Additional area to 3(1) Notification SO 1611 dated 30-05-2003

*** Additional area to 3(1) Notification SO 1757 dated 16-06-2003

④ Additional area to 3(1) Notification SO 4824 dated 28-12-2005

[F.No.L-14014/17/2003-G.P.]

S. B. MANDAL, Under Secy.

ई दिल्ली, 22 अक्टूबर, 2007

क्र.आ. 3167.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधिनियम 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या क्र.आ. 261(अ) तारीख 20 फरवरी 2007 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स रिलायंस इंडस्ट्रीज लिमिटेड, की आन्ध्र प्रदेश में संरचनाओं से महाराष्ट्र राज्य में सोलापुर और उस्मानाबाद जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलायंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अगुने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 27 मार्च, 2007 को अथवा उससे पहले उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में जनता की ओर से कोई उचित आपत्ति नहीं हुआ है;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगों से मुक्त, मैसर्स रिलायंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा।

अनुसूची

मंडल /तहसील/तालुका: बार्शी	जिला : सोलापुर	राज्य: महाराष्ट्र			
गांव का नाम	सर्वे/हिस्सा नंबर	आर ओ यू अर्जित करने के लिए क्षेत्रफल	हेक्टेयर	एयर	सि एयर
1	2	3	4	5	
(1) नारीवाडी	136	00	03	00	
	69/2	00	03	50	
	110	00	07	90	
	111	00	04	60	
	14	00	09	00	
	697	00	25	20	
	16/2	00	22	20	
	11	00	01	50	
	17/4	00	18	30	
	17/3	00	20	40	
	17/2	00	16	20	
(2) नारी	40	00	09	20	
	371/1	00	03	56	
	388/2	00	05	10	
	377/4	00	02	10	
	428/2	00	03	40	
	425/2	00	16	10	
	428/3	00	21	80	
	428/4	00	08	40	
(3) गोरपाल	354/1	00	18	40	
	371/1	00	06	00	
	389	00	00	70	
	394	00	02	60	
	395	00	03	00	
	396	00	09	97	
	399	00	05	70	
	400	00	03	40	
(4) देवद	188	00	01	50	
	193	00	04	00	
	107	00	10	40	
(5) खामना	31/1	00	03	00	
	527/3	00	48	80	

1	2	3	4	5	1	2	3	4	5
(6) अरणगाव	70/4/1	00	02	00	(6) पांचपिपले (नंतर)	49/5	00	69	20
	70/3	00	02	50		122/6	00	09	60
	70/2	00	55	50		122/5	00	04	00
(7) जामगाव	188/2	00	55	00	(7) कंदारी	611	00	35	60
	95	00	01	70		497	00	11	10
	93	00	02	20		606	00	74	60
	92/1	00	01	00		नाला गट	00	04	90
(8) भोयरो	53/2	00	06	40		नं. 606 में			
	81/4	00	25	50		सड़क गट	00	06	10
	81/2	00	12	50		नं. 606 और 627 में			
	81/5	00	06	50	(8) सोनारी	70	00	03	90
	81/1/अ	00	14	40		69	00	01	60
	81/1/ब	00	21	90		65	00	14	40
	81/3/1	00	09	80	(9) कौडगाव	20/2/क	00	06	50
(9) ताडसौंदणे	183	00	07	20		20/2/अ	00	23	70
(10) रेलगाव (वहेल)	96	00	02	50		20/2/ब	00	16	80
	125/1	00	00	80		9	00	04	70
	125/2	00	03	60	(10) डोंजा	229	00	06	70
	124	00	03	50		276	00	20	30
	121/2	00	05	70		188	00	05	30
	145/1	00	03	70		189	00	07	00
	127	00	12	00		484/1	01	11	00
	178/9	00	22	10		588	00	06	60
	178/7/2	00	18	70		589	00	07	90
(11) देवगाव	288/2	00	03	50		595	00	07	80
	227	00	10	10		596	00	02	90
	167	00	04	00		599	00	00	90
	140	00	46	00		602	00	02	70
	142	00	31	00		606	00	06	70
	281/2	00	07	75		620	00	03	00
	156/4	00	90	00		635	00	02	30
मंडल/तहसील/तालुका: परांडा जिला : उस्मानाबाद राज्य : महाराष्ट्र						591	00	04	50
(1) सिरसाव	414	00	10	00		609	00	24	50
	413	00	43	70	(11) आलेखर	279	00	30	80
	325	00	06	50		278	00	14	20
(2) जबला	261	00	22	00		223	00	02	30
(3) राजुरीचीवाडी	9/अ	00	64	50		5	00	00	60
	10/अ	00	50	30		33	00	03	60
(4) राजुरी	186	00	02	30		34	00	01	50
	185	00	03	70		35	00	01	20
	172	00	11	30		36	00	01	00
	141	00	02	70		40	00	01	65
	45	00	03	00	मंडल/तहसील/तालुका: करमाला जिला : सोलापुर राज्य : महाराष्ट्र				
	146	00	12	30	(1) करंजे	31	00	01	00
(5) अंशोरी	28/ड	00	41	40		2/5/1	00	06	89
	28/क	00	39	00		2/1	00	04	89
	25/ब	00	18	50		2/4	00	06	89
	28/ब	00	03	00		219	00	04	70
(6) पांचपिपले	62/4	00	44	20		218/5	00	08	03
	49/13	00	10	90		202/6	00	06	60
	124/2	00	18	00		199	00	11	10
	124/5	00	04	30		198/4/अ	00	02	80
	129/1	00	17	50		198/4/ब	00	02	80
	178/1	00	11	10		198/2	00	17	50
	183/1	00	12	20		37/2	00	14	60
	190/3	00	11	33		37/3	00	56	00
	61/4	00	46	80		37/4	00	37	50

1	2	3	4	5
(1) करंजे (निरंतर)	2/3/ब	00	12	00
	2/2/ड	00	04	50
	2/2/ब	00	04	50
(2) खांबेवाडी	3/7	00	15	90
	76/2	00	02	00
	8/9	00	18	60
(3) धायखिंडी	8/1/5	00	29	20
	8/1/3	00	38	30
	8/2/2	00	06	30
	103	00	86	00
	85/1	00	18	70
	109	00	21	40
	111 और 108	00	24	60
	101	00	15	60
	98/3	00	10	05
(4) पोथर	147/8	00	03	20
	199	00	18	60
	200	00	03	30
(5) करमाला	152	00	02	10
	56/1	00	31	37
	151	00	36	00
(6) मांगी	75/1/3	00	81	92
	93/2	00	04	00
	96/7	00	38	06
	89/3	00	09	00
	89/2	00	21	30
	85/4	00	33	10
(7) वडगाव (खुर्द)	38/2	00	05	10
	38/1	00	04	80
	63/1/1	00	43	75
	63/1/5	00	18	80
	62/1	00	05	26
	62/2	00	05	26
	62/3	00	20	56
	73/2/1	00	18	00
(8) रावगाव	436/3	00	00	86
	436/2	00	00	86
	436/4	00	00	86
	436/5	00	00	86
	432/1/अ	00	06	46
	432/1/क	00	10	09
	435	00	15	00
	388/2	00	33	50
	385/2	00	38	88
	341/2	00	04	70
	345/3	00	37	60
	346/2	00	08	05
	356/5	00	00	30
	356/3	00	01	50
	356/2	00	01	50
	130/1	00	03	80
	130/2	00	03	80
	26/1	00	49	00
	40/1	00	03	70
	45	00	01	50
	48/3	00	06	54
	48/2	00	06	74
	48/1	00	40	02

[फा. सं. एल-14014/43/2006-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 22nd October, 2007

S.O. 3167.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S.O. 261(E) dated: 20th February 2007, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas from Structures in Andhra Pradesh of M/s. Reliance Industries Limited, by M/s. Reliance Gas Transportation Infrastructure Limited to the various consumers of District Solapur and Osmanabad in the State of Maharashtra;

And whereas the copies of the said Gazette notification were made available to the public on or before 27th March 2007;

And whereas no objections were received from the public to the laying of the pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in M/s. Reliance Gas Transportation Infrastructure Limited, free from all encumbrances.

SCHEDULE

Mandal/Tehsil/ Taluka : Barsi	District: Solapur	State : Maharashtra		
Village	Survey/Sub- division No.	Area to be acquired for RoU		
		Hectare	Are	C-Are
1	2	3	4	5
(1) Nariwadi	136	00	03	00
	69/2	00	03	50
	110	00	07	90
	111	00	04	60
	14	00	09	00
	69/7	00	25	20
	16/2	00	22	20
	11	00	01	50
	17/4	00	18	30
	17/3	00	20	40
	17/2	00	16	20
(2) Nari	40	00	09	20
	371/1	00	03	56
	388/2	00	05	10
	377/4	00	02	10
	428/2	00	03	40
	425/2	00	16	10

1	2	3	4	5	1	2	3	4	5
(2) Nari (Contd.)	428/3	00	21	80	(5) Andori	28/D	00	41	40
	428/4	00	08	40		28/C	00	39	00
(3) Gormalu	354/1	00	18	40		25/B	00	18	50
	371/1	00	06	00		28/B	00	03	00
	389	00	00	70	(6) Panchpimpale	62/4	00	44	20
	394	00	02	60		49/13	00	10	90
	395	00	03	00		124/2	00	18	00
	396	00	09	97		124/5	00	04	30
	399	00	05	70		129/1	00	17	50
	400	00	03	40		178/1	00	11	10
(4) Yelamb	188	00	01	50		183/1	00	12	20
	193	00	04	00		190/3	00	11	33
	107	00	10	40		61/4	00	46	80
(5) Khamgaon	31/1	00	03	00		49/5	00	69	20
	527/3	00	48	80		122/6	00	09	60
(6) Arangaon	70/4/1	00	02	00		122/5	00	04	00
	70/3	00	02	50	(7) Kandari	611	00	35	60
	70/2	00	55	50		497	00	11	10
(7) Jamgaon	188/2	00	55	00		606	00	74	60
	95	00	01	70		Nala in Gat			
	93	00	02	20		No. 606	00	04	90
	92/1	00	01	00		Road in Gat			
(8) Bhoire	53/2	00	06	40		No. 606 & 627	00	06	10
	81/4	00	25	50	(8) Sonari	70	00	03	90
	81/2	00	12	50		69	00	01	60
	81/5	00	06	50		65	00	14	40
	81/1/A	00	14	40	(9) Koudgaon	20/2/C	00	06	50
	81/1/B	00	21	90		20/2/A	00	23	70
	86/3/1	00	09	80		20/2/B	00	16	80
(9) Tadsaundane	183	00	07	20		9	00	04	70
(10) Shelgaon (Vhale)	96	00	02	50	(10) Donja	229	00	06	70
	125/1	00	00	80		276	00	20	30
	125/2	00	03	60		188	00	05	30
	124	00	93	50		189	00	07	00
	121/2	00	05	70		484/1	01	11	00
	145/1	00	03	70		588	00	06	60
	127	00	12	00		589	00	07	90
	178/9	00	22	10		595	00	07	80
	178/7/2	00	18	70		596	00	02	90
(11) Devgaon	288/2	00	03	50		599	00	00	90
	227	00	10	10		602	00	02	70
	167	00	04	00		606	00	06	70
	140	00	46	00		620	00	03	00
	142	00	31	00		635	00	02	30
	281/2	00	07	75		591	00	04	50
	156/4	00	90	00		609	00	24	50
Mandal/Tehsil/	District : Osmanabad	State : Maharashtra			(11) Aleshwar	279	00	30	80
Taluka : Paranda						278	00	14	20
(1) Sirsav	414	00	10	00		223	00	02	30
	413	00	43	70		5	00	00	60
	325	00	06	50		33	00	03	60
(2) Jawala	261	00	22	00		34	00	01	50
(3) Rajurichiwadi	9/A	00	64	50		35	00	01	20
	10/A	00	50	30					
(4) Rajuri	186	00	02	30					
	185	00	03	70					
	172	00	11	30					
	141	00	02	70					
	45	00	03	00					
	146	00	12	30					

1	2	3	4	5	1	2	3	4	5
(11) Aleshwar	36	00	01	00		73/2/1	00	18	00
(Contd.)	40	00	01	65	(8) Ravgaon	436/3	00	00	86
Mandal/Tehsil/	District : Solapur	State : Maharashtra				436/2	00	00	86
Taluka : Karmala						436/4	00	00	86
(1) Karanje	31	00	01	00		436/5	00	00	86
	2/5/1	00	06	89		432/1/A	00	06	46
	2/1	00	04	89		432/1/C	00	10	09
	2/4	00	06	89		435	00	15	00
	219	00	04	70		388/2	00	33	50
	218/5	00	08	03		385/2	00	38	88
	202/6	00	06	60		341/2	00	04	70
	199	00	11	10		345/3	00	37	60
	198/4/A	00	02	80		346/2	00	08	05
	198/4/B	00	02	80		356/5	00	00	30
	198/2	00	17	50		356/3	00	01	50
	37/2	00	14	60		356/2	00	01	50
	37/3	00	56	00		130/1	00	03	80
	37/4	00	37	50		130/2	00	03	80
	2/3/B	00	12	00		26/1	00	49	00
	2/2/D	00	04	50		40/1	00	03	70
	2/2/B	00	04	50		45	00	01	50
(2) Khambewadi	37	00	15	90		48/3	00	06	54
	76/2	00	02	00		48/2	00	06	74
	89	00	18	60		48/1	00	40	02
(3) Dhaykhindi	8/1/5	00	29	20					
	8/1/3	00	38	30					
	8/2/2	00	06	30					
	103	00	86	00					
	85/1	00	18	70					
	109	00	21	40					
	111 & 108	00	24	60					
	101	00	15	60					
	98/3	00	10	05					
(4) Pothare	147/8	00	03	20					
	199	00	18	60					
	200	00	03	30					
(5) Karmala	152	00	02	10					
	56/1	00	31	37					
	151	00	36	00					
(6) Mangi	75/1/3	00	81	92					
	93/2	00	04	00					
	96/7	00	38	06					
	89/3	00	09	00					
	89/2	00	21	30					
	85/4	00	33	10					
(7) Wadgaon									
(Khurd)	38/2	00	05	10					
	38/1	00	04	80					
	63/1/1	00	43	75					
	63/1/5	00	18	80					
	62/1	00	05	26					
	62/2	00	05	26					
	62/3	00	20	56					

[File No. L-14014/43/2006-G.P.]

S. B. MANDAL, Under Secy.

संशोधन

नई दिल्ली, 23 अक्टूबर, 2007

का.आ. 3168.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि राजस्थान राज्य में इब्राहिम-धौलपुर पाइपलाइन परियोजना द्वारा प्राकृतिक गैस के परिवहन के लिए, गेल (इंडिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के लिये पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 2141 दिनांक 26-5-2006 एवं का.आ. 3853 दिनांक 22-9-2006 जारी की थी;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह समाधान हो जाने पर कि लोकहित में ऐसा करना आवश्यक है, यह निर्देश देती है कि भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 2141 दिनांक 26-5-2006 एवं का.आ. 3853 दिनांक 22-9-2006 में नीचे वर्णित सारणी में तत्स्थानी प्रविष्टि में विनिर्दिष्ट रीति से संशोधन किया जा सकेगा।

शुद्धि-पत्र

भारत के राजपत्र सं. 39 दिनांक सितम्बर 24-सितम्बर 30, 2006 के का. आ. सं. 3853 दिनांक 22-9-2006 में पृष्ठ सं. 8331, 8332, 8333, 8334, 8336, 8337 एवं 8338, 8339, 8340, 8342, 8343 पर।

राजपत्र के अनुसार			पदिए		
गांव	सर्वे नं.	क्षेत्रफल (हेक्ट. में)	गांव	सर्वे नं.	क्षेत्रफल (हेक्ट. में)
1	2	3	4	5	6
बटेश्वर कला	150	0.130	बटेश्वर कला	150	0.0030
	141	0.2430		141	0.2130
	140	0.1120		140	0.0770
	113	0.0580		113	0.0280
	75	0.0460		75	0.0200
	82	0.0500		82	0.0380
	83	0.1728		83	0.1528
	156	0.0030		156	निरस्त
	73	0.0030		73	निरस्त
कुहावनी	87	0.1350	कुहावनी	87	0.1200
	86	0.0108		86	0.0008
गढ़ी खिराना	584	0.0702	गढ़ी खिराना	584	0.0350
	585	0.0378		585	0.0078
	596	0.0810		596	0.0310
	605	0.0952		605	0.0452
	604	0.1620		604	0.1520
	618	0.0162		618	0.0050
	617	0.0020		617	निरस्त
	595	0.0108		595	निरस्त
रानपुर	171	0.2916	रानपुर	171	0.1620
	177	0.2538		177	0.2050
	172	0.0108		172	निरस्त
अलीगढ़	606	0.4104	अलीगढ़	606	0.3754
	609	0.0972		609	0.0272
	882	0.2808		882	0.2458
	881	0.1188		881	0.0638
	867	0.0702		867	0.0202
	868	0.1998		868	0.1600
	877	0.0756		877	0.0386
	875	0.0378		875	0.0100
	873	0.0486		873	0.0366
खेड़ा	2345		खेड़ा	1951	0.0378
	1951	0.0378			
	2346			1950	0.0378
	1950				

1	2	3	4	5	6
भिलगमा	406	0.0100	भिलगमा	406	निरस्त
बसई सामन्ता	529	0.0756	बसई सामन्ता	529	0.0156
	530	0.0972		530	0.0504
	574	0.2376		574	0.2076
	585	0.0108		585	0.0020
	566	0.2160		566	0.1458
	560	0.0648		560	0.0100
	526	0.0216		526	निरस्त
	561	0.0324		561	निरस्त
	562	0.0108		562	निरस्त
सुरजपुरा	225	0.0448	सुरजपुरा	225	निरस्त

भारत के राजपत्र सं. 39 दिनांक सितम्बर 24-सितम्बर 30, 2006 के का. आ. सं. 3853 दिनांक 22-9-2006 में पृष्ठ सं. 8335, एवं 8341 पर।

राजपत्र के अनुसार			पढ़िए		
जिला	तहसील	गांव	जिला	तहसील	गांव
धौलपुर	धौलपुर	धीमरी	धौलपुर	धौलपुर	पूतपुरा

भारत के राजपत्र सं. 39 दिनांक सितम्बर 24-सितम्बर 30, 2006 के का. आ. सं. 3853 दिनांक 22-9-2006 में पृष्ठ सं. 8334-8335 एवं 8340-8341 पर और भारत के राजपत्र सं. 22 दिनांक मई 28-जून 3, 2006 के का. आ. सं. 2141 दिनांक 26-5-2006 में पृष्ठ सं. 4775, 4777 एवं 4778, 4780 पर।

राजपत्र के अनुसार			पढ़िए		
गांव	सर्वे नं.	क्षेत्रफल (हेक्ट. में)	गांव	सर्वे नं.	क्षेत्रफल (हेक्ट. में)
1	2	3	4	5	6
जरारी घेसुआ	1037	0.2490	जरारी घेसुआ	1037	0.2390
	1033	0.2880		1033	0.1780
	1026	0.0650		1026	0.0550
	1034	0.0110		1034	निरस्त
अफजलपुर	1508	0.2376	कुरी का पुरा	1508	0.2376
	1702	0.0216		1702	0.0216
	1714	0.0324		1714	0.0324
	1716	0.1188		1716	0.1188
	1718	0.1242		1718	0.1242
	1698	0.0594		1698	0.0594
	1720	0.1998		1720	0.1998
	1647	0.0810		1647	0.0810
	1646	0.0108		1646	0.0108
	1648	0.1890		1648	0.1890
	1649	0.1080		1649	0.1080
	1650	0.0054		1650	0.0054
	1628	0.1998		1628	0.1998
	1629	0.1350		1629	0.1350

1	2	3	4	5	6
अफजलपुर	1620	0.1512	कुरी का पुरा	1620	0.1512
	1619	0.0324		1619	0.0324
	1618	0.0648		1618	0.0648
	1621	0.0216		1621	0.0216
	1617	0.0216		1617	0.0216
	1706	0.1188		1706	0.1188
	1603	0.0864		1603	0.0864
	1604	0.0324		1604	0.0324
	1602	0.0216		1602	0.0216
	1707	0.1480		1707	0.1480
	1715	0.1058		1715	0.1058
	2303	0.0486	अफजलपुर	2303	0.0286
	2302	0.2430		2302	0.2300
	2293/2	0.0108		2292/2	निरस्त
	2294	0.2626		2294	0.2326
	2246	0.2376		2246	0.1890
	2249	0.1404		2249	0.1100
	2227	0.1782		2227	0.1382
	2224	0.1296		2224	0.1096
	2217	0.0162		2217	0.0080
मरहोली	13	0.1836	मरहोली	13	0.1550
	25	0.1816		25	0.1700
	26	0.0020		26	निरस्त
	18	0.0324		18	0.0250
	6	0.1480		6	0.0850
	5	0.2194		5	0.1400
	27	0.2430		27	0.1530

भारत के राजपत्र सं. 22, दिनांक मई 28-जून 3, 2006 के का. आ. सं. 2141 दिनांक 26-5-2006 में पृष्ठ सं. 4776-4777 एवं 4779-4780 पर

राजपत्र के अनुसार			पट्टिए		
गांव	सर्वे नं.	क्षेत्रफल (हेक्ट. में)	गांव	सर्वे नं.	क्षेत्रफल (हेक्ट. में)
लखेपुरा	68	0.1998	लखेपुरा	68	0.1498
	64	0.0594		64	0.0120
	56	0.1480		56	0.1000
	43	0.0648		43	0.0400
बख्तपुरा	50	0.1512	बख्तपुरा	50	0.1282
	52	0.0378		52	0.0253
	54	0.1080		54	0.0755
	139	0.1890		139	0.1440
अरवा	401	0.1404	अरवा	401	0.1274
	402	0.0216		402	0.0070

[फा. सं. एल-14014/17/07-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 23rd October, 2007

Amendment

S.O. 3168.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Ibrahimpur - Dholpur pipeline project in the State of Rajasthan, a pipeline should be laid by GAIL (India) Limited;

And whereas, the Central Government in the Ministry of Petroleum and Natural Gas issued notification Nos. S.O. 2141 dated 26-05-2006 and S.O. 3853 dated 22-09-2006 under sub-section (1) of Section 6 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) for acquisition of Right of User in the land specified;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government being satisfied that it is necessary in the public interest, hereby directs that the notification Nos. S.O. 2141 dated 26-5-2006 and S.O. 3853 dated 22-09-2006 may be amended in the manner specified in the schedule mentioned below :—

CORRIGENDUM

In the Gazette of India No. 39 dated September 24—September 30, 2006 vide S.O. No. 3853 dated 22-09-2006 on Page No. 8331, 8332, 8333, 8334, 8336, 8337 and 8338, 8339, 8340, 8342, 8343.

As per Gazette			Be read as		
Village	Survey No.	Area	Village	Survey No.	Area
1	2	3	4	5	6
Bateshwar Kalan	150	0.0130	Bateshwar Kalan	150	0.0030
	141	0.2430		141	0.2130
	140	0.1120		140	0.0770
	113	0.0580		113	0.0280
	75	0.0460		75	0.0200
	82	0.0500		82	0.0380
	83	0.1728		83	0.1528
	156	0.0030		156	Deleted
	73	0.0030		73	Deleted
Kuhawani	87	0.1350	Kuhawani	87	0.1200
	86	0.0108		86	0.0008
Garhi Khirana	584	0.0702	Garhi Khirana	584	0.0350
	585	0.0378		585	0.0078
	596	0.0810		596	0.0310
	605	0.0952		605	0.0452
	604	0.1620		604	0.1520
	618	0.0162		618	0.0050
	617	0.0020		617	Deleted
	595	0.0108		595	Deleted
Ranpur	171	0.2916	Ranpur	171	0.1620
	177	0.2538		177	0.2050
	172	0.0108		172	Deleted
Aligharh	606	0.4104	Aligharh	606	0.3754
	609	0.0972		609	0.0272
	882	0.2808		882	0.2458
	881	0.1188		881	0.0638
	867	0.0702		867	0.0202
	868	0.1998		868	0.1600
	877	0.0756		877	0.0386

1	2	3	4	5	6
Aligarh	875	0.0378	Aligarh	875	0.0100
	873	0.0486		873	0.0366
Khera	2345		Khera	1951	0.0378
	1951	0.0378			
	2346			1950	0.0378
	1950				
Bhilganwa	406	0.0100	Bhilganwa	406	Deleted
Basai Samanta	529	0.0756	Basai Samanta	529	0.0156
	530	0.0972		530	0.0504
	574	0.2376		574	0.2076
	585	0.0108		585	0.0020
	566	0.2160		566	0.1458
	560	0.0648		560	0.0100
	526	0.0216		526	Deleted
	561	0.0324		561	Deleted
	562	0.0108		562	Deleted
Surjapura	225	0.0448	Surjapura	225	Deleted

In the Gazette of India No. 39 dated September 24 - September 30, 2006 vide S. O. No. 3853 dated 22-9-2006 on Page No. 8335 & 8341.

As per Gazette			Be read as		
Distt.	Tehsil	Village	Distt.	Tehsil	Village
Dholpur	Dholpur	Dhimari	Dholpur	Dholpur	Puthpura

In the Gazette of India No. 39 dated September 24 - September 30, 2006 vide S.O. No. 3853 dated 22-9-2006 on Page No. 8334-8335 & 8340-8341 and in the Gazette of India No. 22 dated May 28 - June 3, 2006 vide S.O. No. 2141 dated 26-5-2006 on Page No. 4775, 4777 & 4778, 4780.

As per Gazette			Be read as		
Village	Survey No.	Area	Village	Survey No.	Area
1	2	3	4	5	6
Zarari Ghesua	1037	0.2490	Zarari Ghesua	1037	0.2390
	1033	0.2880		1033	0.1780
	1026	0.0650		1026	0.0550
	1034	0.0110		1034	Deleted
Afjalpur	1508	0.2376	Kuri Ka Pura	1508	0.2376
	1702	0.0216		1702	0.0216
	1714	0.0324		1714	0.0324
	1716	0.1188		1716	0.1188
	1718	0.1242		1718	0.1242
	1698	0.0594		1698	0.0594
	1720	0.1998		1720	0.1998
	1647	0.0810		1647	0.0810
	1646	0.0108		1646	0.0108
	1648	0.1890		1648	0.1890
	1649	0.1080		1649	0.1080
	1650	0.0054		1650	0.0054
	1628	0.1998		1628	0.1998

1	2	3	4	5	6
Afjalpur	1629	0.1350	Kuri Ka Pura	1629	0.1350
	1620	0.1512		1620	0.1512
	1619	0.0324		1619	0.0324
	1618	0.0648		1618	0.0648
	1621	0.0216		1621	0.0216
	1617	0.0216		1617	0.0216
	1706	0.1188		1706	0.1188
	1603	0.0864		1603	0.0864
	1604	0.0324		1604	0.0324
	1602	0.0216		1602	0.0216
	1707	0.1480		1707	0.1480
	1715	0.1058		1715	0.1058
	2303	0.0486		2303	0.0286
Afjalpur	2302	0.2430	Afjalpur	2302	0.2300
	2292/2	0.0108		2292/2	Deleted
	2294	0.2626		2294	0.2326
	2246	0.2376		2246	0.1890
	2249	0.1404		2249	0.1100
	2227	0.1782		2227	0.1382
	2224	0.1296		2224	0.1096
	2217	0.0162		2217	0.0080
	13	0.1836		13	0.1550
	25	0.1816		25	0.1700
Marholi	26	0.0020	Marholi	26	Deleted
	18	0.0324		18	0.0250
	6	0.1480		6	0.0850
	5	0.2194		5	0.1400
	27	0.2430		27	0.1530

In the Gazette of India No. 22 dated May 28 - June 3, 2006 vide S.O. No. 2141 dated 26-5-2006 on Page No. 4776-77 & 4779-80.

As per Gazette			Be read as		
Village	Survey No.	Area	Village	Survey No.	Area
1	2	3	4	5	6
Lakhepura	68	0.1998	Lakhepura	68	0.1498
	64	0.0594		64	0.0120
	56	0.1480		56	0.1000
Bakhtupura	43	0.0648	Bakhtupura	43	0.0400
	50	0.1512		50	0.1282
	52	0.0378		52	0.0253
	54	0.1080		54	0.0755
	139	0.1890		139	0.1440
Aranua	401	0.1404	Aranua	401	0.1274
	402	0.0216		402	0.0070

[File No. L-14014/17/07-G.P.]

S. B. MANDAL, Under Secy.

श्रम और रोजगार मंत्रालय

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3169.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 48/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-41012/261/1999-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 3rd October, 2007

S.O. 3169.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 48/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of Central Railway and their workmen, received by the Central Government on 03-10-2007.

[No. L-41012/261/1999-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR**

Industrial Dispute No. CGIT/LC/R/48/2000

PRESIDING OFFICER: SHRI C. M. SINGH

Shri Ramavtar,
S/o Ganjoo Kol,
At/PO Khadda Yech,
Beohari

Distt: Shahdol (MP)

.....Union/Workman

Versus

The Sr. Divisional Engineer (R),
Central Railway,
Jabalpur (MP),
Jabalpur (MP)-482001,

.....Management

AWARD

Passed on this 29th day of August, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-41012/261/99-IR (B-I) dated 17-02-2000 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Sr. Divisional Engineer (North) Central Railway, Jabalpur (MP) in terminating Shri Ramavtar S/o Ganjoo Kol, Ex-M.R.C.L. under P.W.I., Beohari Distt. Shadol (MP) with effect from 19-05-95 is legal and justified? If not to what relief the workman is entitled?”

2. Vide order dated 05-12-05 of this Tribunal, the reference proceeded ex-parte against the workmen Shri Ramavtar. No statement of claim has been filed on behalf of workman.

3. Order dated 27-8-07 on the order-sheet of this reference reveals that Shri R.K. Gautam, Advocate for management submitted that the reference be closed for award, as he has not to file any Written Statement or adduced any evidence. The reference was, therefore, closed for award.

4. It is no evidence case by the parties, therefore, the reference deserves to be decided in favour of management and against the workman without any orders as to costs.

5. In view of the above, the reference is decided in favour of the management and against the workman without any orders as to costs holding that the action of the Sr. Divisional Engineer (North) Central Railway, Jabalpur (MP) in terminating Shri Ramavtar, S/o Ganjoo Kol, Ex-M.R.C.L. under PWI is legal and justified. Consequently the workman is not entitled to any relief.

6. Let the copies of the award be sent to the Ministry of Labour & Employment, New Delhi as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3170.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बिलासपुर-रायपुर क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 61/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-07 को प्राप्त हुआ था।

[सं. एल-12011/10/1995-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3170.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 61/1997) of the Central Government Industrial Tribunal-Cum-Labour Court, Jabalpur, as shown in the Annexure, in the Industrial Dispute between the management of Bilaspur-Raipur Kshetriya Gramin Bank, and their workmen, received by the Central Government on 3-10-2007.

[No. L-12011/10/1995-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR**

No. CGIT/LC/R/61/97

PRESIDING OFFICER: SHRI C. M. SINGH

General Secretary,
Gramin Bank Award Staff Union,
Branch: Bilaspur Dayalband,
Bilaspur, Distt: Bilaspur (CG)

.....Union/Workman

Versus

The Chairman,
Bilaspur Raipur Kshetriya Gramin Bank,
Head Office Dayalband,
Bilaspur,
Distt: Bilaspur (CG)

.....Management

AWARD

Passed on this 27th day of August, 2007

The Government of India, Ministry of Labour vide its Notification No. L-12011/10/95-IR (B-I) dated 4-3-97 has referred the following dispute for adjudication by this tribunal:—

1. Demand No. 2 : “Whether the demand of the union for payment of full wages to Sh. Khilaban Ram Bhatt is legal and justified? If so, to what relief is the workman entitled to?”
2. Full time wages
Sh. Khilaban Ram Bhatt
2. Demand No. 9 : “Whether the demand of the union for Providing ¾ facilities applicable to full time messenger to part-time messenger is legal & justified. If so to what relief are the workmen entitled?”
9. Providing ¾ facilities to part-time employees.

2. Order dated 14-02-07 passed on the order-sheet of this reference reveals that inspite of sufficient Service of notice on workman/union, no body put in appearance for Workman/Union. It further reveals that no Statement of Claim has been filed on behalf of workmen/union and therefore the reference proceeded ex-parte against the workmen/union

3. Order dated 22-8-07 passed on the order-sheet of this reference reveals that on the said date nobody responded for parties and no Written Statement filed by the Management. Under the above circumstances this Tribunal was left with no option but to close the reference for passing award. This reference was therefore closed for award.

4. It is a no evidence case by the parties, therefore the reference deserves to be decided in favour of Management and against the Workman/Union with no orders as to costs.

5. In view of the above the reference is decided in favour of the Management and against the Workman/Union with no orders as to costs holding that the demand of the Union for payment of full wages to Sh. Khilaban Ram Bhatt is not legal and justified and the demand of the Union for Providing ¾ facilities applicable to full time messenger to part-time messenger is not legal and justified and therefore workman Sh. Khilaban Ram Bhatt and workmen/Union are not entitled to any relief.

6. Let the copies of the award be sent to the Government of India Ministry of Labour and Employment, New Delhi as per Rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3171.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बिलासपुर-रायपुर क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 225/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-07 को प्राप्त हुआ था।

[सं. एल-12011/68/1997-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3171.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.225/1998) of the Central Government Industrial Tribunal Cum Labour Court, Jabalpur, now as shown in the Annexure in the Industrial Dispute between the management of Bilaspur-Raipur Kshetriya Gramin Bank, and their workmen, received by the Central Government on 03-10-2007.

[No.L-12011/68/1997-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

CGIT/LC/R/225/98

PRESIDING OFFICER : SHRI C. M. SINGH

The President,
Chhattisgarh Kshetriya Gramin Bank
Karamchari Sangh, Branch : Dayalbandh,
Distt: Bilaspur (CG)-495001 Union/Workman

Versus

The Chairman,
Bilaspur-Raipur Kshetriya Gramin Bank,
Head Office, Dayalbandh,
Distt: Bilaspur (CG)-495001
Jabalpur (MP)-482001

.....Management

AWARD

Passed on this 27th day of August, 2007

1. The Government of India, Ministry of Labour vide its Notification No.L-12011/68/97-IR(B-I) dated 22-5-98 has referred the following dispute for adjudication by this tribunal:

Demands

Demand No. 3 :
Regularisation of messengers who have completed 240 days of service.

Demand No. 4 :
Extension of provision of regular workers to the full time daily rated and part-time daily rated workers.

Terms of Reference

"Whether demand of Chattisgarh Kshetriya Gramin Karamchari Sangh for regularization of all messengers of the bank who have completed 240 days of service is justified? If so, to what relief the workmen are entitled?"

"Whether the demand of Chattisgarh Kshetriya Gramin Karamchari Sangh for extending facilities of daily rated and part time daily rated workers (1/30th wages of the monthly Class IV staff to daily rated and proportionate thereof to part time workers) and other benefits of regular workers is justified? If so to what relief, the workmen are entitled to?"

2. Order dated 14-02-07 passed on the order-sheet of the reference reveals that inspite of sufficient Service of notice on workman/union, no body put in appearance for Workman/Union. It further reveals that no Statement if Claim has been filed on behalf of workmen/union and therefore the reference proceeded ex-parte against the workmen/union.

3. Order dated 22-8-07 passed on the order sheet of this reference reveals that on the said date nobody was present on behalf of parties. Under the above circumstances this Tribunal was left with no option but to close the reference for passing award. Consequently the reference was closed forward.

4. It is no eviednce case and therefore the reference deserves to be decided in favour of the Management and against the Workman/Union with no orders as to costs.

5. In view of the above the reference is decided in favour of the management and against the workman/Union with no orders as to costs holding that the demand of Chattisgarh Kshetriya Gramin Karamchari Sangh for regularization of all messengers of the Bank who have completed 240 days of service is not justified and the demand of Chattisgarh Kshetriya Gramin Karamchari Sangh for extending facilities of proportionate wages to daily rated and part time daily rated workers (1/30th wages the full time monthly class IV staff to daily rated and proportionate thereof to part time workers) and other benefits of regular worker is not justified. Consequently the workmen are not entitled to any relief.

6. Let the copies of the award be sent to the Ministry of Labour and Employment, New Delhi as per Rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3172.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न सेन्ट्रल रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 108/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-07 को प्राप्त हुआ था।

[सं. एल-41011/83/2004-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3172.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.108/2004) of the Central Government Industrial Tribunal-Cum-Labour Court, Jabalpur, as shown in the Annexure in the Industrial Dispute between the management of Western Central Railways, and their workmen, received by the Central Government on 03-10-2007.

[No. L-41011/83/2004-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/108/2004

PRESIDING OFFICER : SHRI C. M. SINGH

Shri Manjur Sharif,
S/o Sukrullah, Gangman
Gram- Mahdeiya, PO Gorvi,
Distt. Sidhi (MP)

.....Workman

Versus

The Divisional Railway Manager,
Central Railway,
(Now Western Central Railways)
Jabalpur

.....Management

AWARD

Passed on this 24th day of September, 2007

1. The Government of India, Ministry of Labour vide its Notification No.L-41012/83/2004-IR(B-I) dated 8-10-04 has referred the following dispute for adjudication by this tribunal:-

"Whether the action of the management of the D.R.M Central Railway (Now Western Central Railways), Jabalpur in removal from the services of Sh. Manjur Sharif w.e.f. 18-4-02 is leagal and justified ? If not, what relief the workmen is entitled to?"

2. Vide order dated 5-12-05, the reference proceeded exparte against workman.

3. Shri S. Shukla, advocate junior to Smt. G.L. Shukla, Advocate for management submitted on 27-08-07 that Paper No.7 filed by the management be treated as Written Statement of the management. The learned counsel also

submitted that he has not to adduce any evidence or to submit any argument. He requested that the reference be closed for award. On it, the reference was, therefore, closed for award.

4. It is mentioned in the so called Written Statement filed by the management that the workman has not clearly disclosed as to where and on what post he worked. It is also mentioned therein that the workman has not disclosed as to what kind of help he wants from Railway. It is pleaded by the management that for making the management unnecessary party, the workman be directed to pay Rs.2000 as damages to the management.

5. It is a no evidence case by the parties.

6. It shall be worthwhile to note here that the workman has not filed his statement of claim. Since there is no evidence of management on record that the management is not a necessary party, therefore, the workman cannot be directed to pay the damages to the management.

7. As it is a case of no evidence therefore, the reference deserves to be decided in favour of management and against the workman without any order as to costs.

8. In view of the above, the reference is decided in favour of management and against the workman without any order as to costs holding that the action of the management of the DRM, Central Railway (now Western Central Railways), Jabalpur in removal from the services of Sh. Manjur Sharif w.e.f. 18-4-02 is legal and justified. Consequently the workman is not entitled to the relief claimed.

9. Let copies of the award be sent to the Ministry of Labour & Employment as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3173.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं.11 नई दिल्ली के पंचाट (संदर्भ संख्या 158/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-12012/130/2004-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3173.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 158/2004) of Central Government Industrial Tribunal-cum-Labour Court-II, New Delhi as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 03-10-2007.

[No. L-12012/130/2004-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRECISING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER : R.N. RAI.
I.D. No.158/2004

IN THE MATTER OF:-

Shri Raghunath Singh
C/o. Sh. J.N. Kapoor, General Secretary,
33-34, Bank Enclave, Ring Road,
Rajouri Garden,
New Delhi-110 027.

VERSUS

The General Manager, State Bank of India, Zonal Office:
11, Parliament Street, New Delhi-110 001.

AWARD

The Ministry of Labour by its letter No. L-12012/130/2004-IR(B-I) Central Government dt. 21-10-2004 has referred the following point for adjudication.

The points runs as hereunder:-

“Whether the action of the management of State Bank of India of recovery of Rs.70, 750 from Shri Raghunath Singh, Cashier-cum-Record Keeper is just and legal? If not, what relief the workman is entitled to.”

The workman applicant has filed claimed statement. In the claim statement it has been stated that the workman joined the Bank service as Guard and later on promoted as Cashier cum Record Keeper.

That the workman was working as cashier cum Record Keeper at Ferozpur Jhirka Branch of the Bank. He retired from the bank's service as on the close of business on 31-01-2001, on attaining the age of superannuation i.e. 60 years.

That the Branch Manager, Ferozpur Jhirka Branch, illegally under coercion and threats recovered a sum of Rs.70, 750 by debit to the SB A/c of the workman, in respect of alleged forged notes stated to have been found in the remittance sent to Reserve Bank of India prior to the retirement of the workman.

That the workman is retired employee of the bank and physically and mentally sick and old person. The Branch Manager terrorized and threatened him to file criminal case and Police action against the workman. The Branch Manager and the Head Cashier forcibly obtained his signatures on debit confirmation.

That the Branch Manager neither shown him the relative packet nor the notes in question to prove that the notes were received by the workman while he was working as cashier in the bank. Neither any evidence was produced by the bank to prove the fault of the workman nor any opportunity was given to him to establish his innocence. As the remittance and issue relate to the period when the workman was in service, therefore, full procedure and system should have been followed before coming to the conclusion that the workman was at fault.

That how an employee after retirement would be responsible when he had neither any control nor access to the remittance or of the cash lying with the bank in their strong room.

That it is a case of conspiracy and mischief against the retired workman by the Head Cashier, Branch Manager, concerned Cashiers of the State Bank of India and the Reserve Bank of India staff to shift their responsibility on the retired workman.

That the action of the management of State Bank of India to forcibly recover a sum of Rs. 70, 750 from the retired workman is illegal, malafide and arbitrary, without holding any inquiry in the matter and without giving any opportunity to the workman.

That the workman has made several representations to the management but with no response. The workman also made a detailed representation in this regard to the Dy. General Manager on 01-07-2002, but he did not reply in the matter.

That the workman had been losing interest @Rs. 800 per month approximately on the amount forcibly recovered by the bank from him, which has adversely affected the financial position of a retired, old and sick employee.

That the workman was forced by the bank to surrender his hard savings which has affected his health because he could not get proper treatment due to paucity of funds.

That in view of the facts stated above the action of the management is illegal, malafide and amounts to unfair labour practice and victimization of the retired and sick workman.

The management has filed written statement. In the written statement it has been stated that the applicant Raghunath Singh has not approached this Hon'ble Tribunal with clean hands inasmuch as he has not disclosed the true facts in his claim and trying to prejudice this Tribunal against the management by not disclosing material facts. The claim deserves to be dismissed on this ground itself.

That the true fact is that the applicant was working as record keeper cum cashier at Ferozpur Jhirka Branch of the management bank. During his tenure, a cash remittance was sent from his branch to the Reserve Bank of India on 09-08-2000. The RBI advised the Branch about detection of forged notes of Rs. 500 denomination totaling Rs. 70, 750 in the packets prepared by the applicant. The related note slips indicating printed number of the forged notes detected in each packet duly signed by the representative of the branch, Assistant Treasurer and the Dy. Treasurer of the Reserve Bank of India on the reverse of the slip were forwarded to the branch alongwith the debit advice for Rs. 70, 750. However, in the meantime, the applicant had retired from his service. On receipt of the debit advice from the RBI, the Branch Manager called the applicant and the note slips duly signed by him with respect to the packets in which the fake notes were detected, were shown to him. The applicant Sh. Raghunath recognized his signatures on the slips, admitted his mistake and took the responsibility for this incident. He voluntarily gave a debit confirmation

to the Branch with respect to this amount of Rs. 70, 750 and agreed for recovery of the amount from his account. However, it appears that subsequently on some ill advice or otherwise he developed malafide intentions and changed his version. Therefore, keeping in view the misdeeds of Raghunath Singh and his admission of the guilt, the amount misappropriated by him was recovered by the management bank from his savings account with his free consent. Therefore, as the applicant himself had signed the debit voucher and authorized withdrawals of money from his account, there is no existing dispute between the management and the applicant. Therefore, the present reference has no legal basis and deserves rejection on this ground as well.

That without prejudice to the above, it is submitted that the applicant Raghunath Singh had retired from the service of the bank on 31-01-2001 and therefore, not covered under the definition of workman as defined under Section 2 (s) of the ID Act, 1947. After his retirement from the bank, master - servant relationship ceased to exist between the applicant and the management which is a condition precedent for raising an industrial dispute and therefore, the applicant cannot legally raise an industrial dispute against the management.

That without prejudice to the above it is submitted that the reference of a non-existing dispute is also bad in the eyes of law inasmuch as the order of reference presumes the applicant to be an employee, although as per the reply submitted by the management before the Conciliation Officer it was submitted that the applicant had retired and therefore no more a workman. Therefore, the reference of dispute is liable to be rejected on this ground as well.

That the applicant is trying to misuse and abuse the process of law as he has not approached this court with clean hands. He has concealed the material facts from this Tribunal, which is clearly evident from the facts as narrated by the management in para 2 above and therefore, on this ground also the applicant is not entitled to any relief from this Hon'ble Tribunal.

That without prejudice to the above it is submitted that the applicant had retired from the service on 31-1-2001 and he signed the debit voucher on 10-6-2002 i.e. on the date when he was not an employee of the management bank any more. The debit voucher was signed by him as an ordinary account holder of the management bank and not in his capacity as an employee and moreover it was signed by him voluntarily and without any coercion from the bank. Therefore, presuming although not lie before the Labour Court/Industrial Tribunal which is a creation of ID Act and empowered only to adjudicate the matter as specified in the Act. Under the facts and circumstances of the present case the applicant cannot take recourse to the machinery provided under the ID Act, 1947.

The day on which the applicant signed the debit voucher, he was an outsider and therefore, if he has any grievance against the management, he may exhaust his remedies in the appropriate court/forum. It is further submitted that the objections which go to the root of the matter deserve to be decided first.

It is strictly denied that the Ferozpur Jhirka Branch had 1 illegally under coercion and threat recovered a sum

of, Rs.70, 750 by debit to the savings bank account of the applicant. The amount has been debited to the saving bank account of the applicant on the basis of the debit confirmation given by him and with his free consent. This fact is further proved by the conduct of the applicant that had there been any undue influence, coercion on him, he would have filed even a criminal case against the bank at the appropriate time.

The applicant be put to strict proof of averments made in this para. Shri Raghunath Singh not terrorized or threatened by anyone, he gave the debit voucher of Rs. 70, 750 on his own on 10-6-2002 with his free consent and after examining the note slips sent by the RBI. Further that reply given hereinabove in para 3 is reiterated.

It is submitted that remittance was sent to RBI and the RBI detected the forged notes and sent the note slips bearing signatures of the applicant on the packets in which forged notes were detected. The details of the forged notes were also given on the reverse of the note slips duly signed by accompanying Poddar, the Assistant Treasurer and the Dy. Treasurer of RBI. After seeing his signatures on the note packet slips, the applicant confirmed them and gave the debit voucher for debiting his savings account by the said amount. There was no reason of any conspiracy by the Bank officials against him. Moreover, the applicant retired on 31-01-2001 and signed the debit voucher afterwards on 10-06-2002 when the bank was not in a position to presurize him in any manner whatsoever.

That the applicant Shri Raghunath Singh received the fake notes when he was the employee of the bank and was working as Cashier. The note packets in which the fake currency notes were detected by the RBI were prepared by the applicant when he was in the employment of the management bank and the remittance was also sent to the RBI on 09-08-2000 when the applicant was in service of the bank. Further on detection he admitted his signatures of receiving the fake notes after his retirement and then of his own free will and consent gave the debit confirmation for debiting his account with the amount concerned. The applicant was no more an employee of the management bank when he admitted his signatures and gave debit confirmation voucher with his consent in full of his senses.

It is not a case of conspiracy or mischief on the part of the Branch Staff as alleged by the applicant, as his role in the entire issue was very much clear, going by the laid down norms of the bank. The applicant be put to strict proof of averments made in this para.

As stated above the note packet slips when forwarded to the branch by the RBI, were shown to the applicant bearing his signatures, he accepted them as his own and himself gave the debit voucher of his account. There was no need of applying any force upon the applicant. It is wrong to allege that no opportunity was given to the applicant, whereas the true fact is that full opportunity was provided to him for inspecting and verifying the documents relating to the fake notes received by the management.

It is wrong and denied that the conciliation failed due to the adamancy of the management. The applicant himself had given the debit voucher of his account with

his free consent and without any force or coercion from the bank and therefore, there was no occasion for accepting the prayer of the applicant before the Conciliation Officer.

The amount was not forcibly recovered from the applicant as alleged. As stated herein above the applicant himself gave the debit voucher of his account and therefore, the loss of interest on that amount is not the responsibility of the bank. The applicant be put to the strict proof of the allegations made by him in the para under reply.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and had denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the management bank illegally under coercion and threat recovered a sum of Rs.70, 750 by debit to the SB account of the workman in respect of alleged forged notes. It is stated to have been found in the remittance sent to RBI prior to the retirement of the workman. The Bank Manager threatened him Police action. The Branch Manager and the Head Cashier forcibly obtained his signature on the debit confirmation. The Branch Manager did not show him the relevant packets of the notes in question to prove that the note slips were signed by the workman while he was working as cashier in the bank. The workman was not given any opportunity to establish his innocence. The remittance and the issue relate to the period when the workman was in service therefore, after holding complete inquiry the liability should have been fixed on him. The Branch Manager and other employees of the bank who escaped liability under the conspiracy and mischief forced the workman to sign on the debit voucher. The workman made several representations. At last on 01-07-2002 to the Dy. General Manager but no action was taken hence the reference.

It was submitted from the side of the management that the RBI advised the branch about detection of forged notes of Rs. 500 denomination total in Rs.70, 735 in the packets prepared by the workman during his tenure on 09-08-2000 and cash remittance was sent to the RBI. The relevant note slips contained the signature of the workman so after detecting the forged notes by the Assistant Treasurer and the Dy. Treasurer of the RBI, the packets were forwarded to the branch along with debit advice of Rs.70, 750 for necessary action at the end of the branch of the management bank from where the forged notes had originated.

It was further submitted that the Branch Manager called the workman and shown him the packets bearing his signature. The workman recognized his signature on the slips and admitted his mistake and took the responsibility. On 10-06-2002 the workman voluntarily gave the debit confirmation to the branch with respect to this amount and agreed for recovery of the amount from his account.

It was further submitted that it is on 01-07-2002 that the workman after ill-advice or otherwise developed mala fide intentions and changed his version. The applicant

had himself signed the debit voucher and authorized withdrawal of money from his account.

There was no coercion, threat or conspiracy among the employees of the branch.

It is true that the workman retired from service on 31-01-2001. The transactions of remittance of the packets relate to 09-08-2000. The workman was under employment. It was his duty to prepare packets and to sign the slips as Cashier.

The substantial question is whether the workman signed the debit voucher voluntarily and at his sweet will or under coercion and undue influence.

The workman was retired and he was no longer an employee of the bank, so there is no question of undue influence or coercion. There was no employer-employee relationship so undue influence cannot be presumed under these circumstances. The workman was at liberty to get the amount of the forged notes debited from his account, in case he refused it cannot be said that he will be under the apprehension of any punitive action by the management. In the circumstances it cannot be said that the workman signed the debit voucher under coercion or undue influence. Coercion or undue influence is presumed when there is some sort of relationship. In the instant case the workman has retired and he was no longer in service, so it cannot be said that the signature on the debit vouchers were obtained by the Branch Manager under threat. The Branch Manager is not in a position of giving threat to a workman who is retired as no disciplinary action could be taken against the workman as he retired on 31-01-2001.

It is admitted case that the workman retired on 31-01-2001 and the packets under dispute were prepared and the slips were signed by him. He must have agreed to sign the debit voucher apprehending criminal liabilities. He signed the debit voucher on 10-06-2002 and for the first time he made representation in this regard to Dy. G.M. on 01-07-2002 just after 3 weeks. There is no other letter or representation by the workman on the record. The letter written to the Dy. G.M. dated 01-07-2002 is on the record, so it can be said that he made representation regarding signing the confirmation voucher under coercion and threat after a period of 3 weeks. In natural consequence of event in case a workman is threatened of dire consequences and his signature is obtained under coercion and threat he would make representation immediately and he would give information to the higher authorities and even to the Police. It appears that after a period of 3 weeks as an afterthought he made representations to the Dy. G.M. In due course he is expected to complain of threat and coercion just the next day or within 2-3 days. It may be that he signed the voucher voluntarily to escape the criminal proceedings. So by no stretch of imagination it can be said that the workman signed the voucher under coercion or undue influence or threat.

It was submitted from the side of the management that no reference is maintainable of a retired workman. There is no proper espousal of the matter. His case has not acquired the status of a collective dispute in view of 2007 (II) LLJ 87 Calcutta & 2007 (II) LLJ 906 Delhi.

It was further submitted that he ceased to be a workman and he is not covered under the definition of workman as defined u/s 2 (s) of the ID Act, 1947.

The dispute has been espoused by a registered competent union. It is true that this dispute is not an individual dispute in view of section 2 (a) of the ID Act, 1947 but the case of the workman is covered under 2 (k) of the ID Act, 1947. The act related to his period of employment, collective dispute or collective bargaining is in respect of common amenities or grievances of the majority of the employees or sufficient number of employees, such disputes is not collective dispute. Such disputes are not included under 2 (a) but the objects and reasons show that the workman should not be left at the mercy of the unions. He has a legal right and he must get remedies in dependent of the wishes of a trade union. It seems paradoxical that a workman has allegedly been pushed and he should request some union to espouse his case. If some injustice have been done the workman has every right to raise his dispute irrespective of any espousal so far as individual cases are concerned. Collective bargaining and industrial dispute relate to cases of the employees at large and not individual disputes. The individual dispute will always remain an individual dispute and there should be entitlement of raising such dispute under ID Act, 1947 u/s 2 (a), it appears to be left out by the legislature. Only 4 terms just as discharge, dismissal, retrenchment and termination have been specifically mentioned in section 2 (a) whereas the purpose of enacting section 2 (a) is to absolve the individual employees to remain on the mercy of the union. In case a union is not willing to espouse the dispute the workman will have to approach the Civil Court for redressing his grievance. In such circumstances enactment of Industrial Dispute Act, 1947 would not be compressive and complete code. It appears that the word "etc." has been left out in section 2 (a) of the ID Act, 1947 and intention of the legislature was to include every individual dispute just as deduction in rank or any other punishment inflicted on a workman.

The case of the workman is covered under section 2 (k) of the ID Act, 1947 as industrial disputes means any dispute or differencesof any persons. The workman is covered under the term "any persons". He is an erstwhile employee of the management. The alleged incident relates to his tenure of employment so the reference is not bad in law in view of section 2 (k) of the ID Act, 1947 and it has been properly espoused by a registered and competent union. The law cited by the management is not applicable in the facts and circumstances of the present case.

The reference is replied thus:

The action of the management of State Bank of India of recovery of Rs.70, 750/- from Shri Raghunath Singh, Cashier-cum - Record Keeper is just and legal. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Date : 25-09-2007.

R.N. Rai, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3174.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 02/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-22012/41/2003-आई आर (सीएम-II)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3174.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 02/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of Northern Coalfield Limited, Amlohri Project and their workmen, received by the Central Government on 03-10-2007.

[No. L-22012/41/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/02/2004

PRESIDING OFFICER : SHRI C. M. SINGH

The Secretary,
Bhartiya Koyla Khadan Shramik Sangh (BMS)
Branchs Amlohri Project of NCL,
Sidhi (MP)

Workman/Union

Versus

The Chief General Manager,
Northern Coalfield Limited,
Amlohri Project,
PO Amlohri, Distt. Sidhi (MP),
Sidhi (MP)

Management

AWARD

Passed on this 24th day of September, 2007

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/41/2003-IR(CM-II) dated 30-12-03 has referred the following dispute for adjudication by this tribunal:—

“Whether the demand of Bhartiya Koyla Khadan Shramik Sangh (BMS) for promotion of Shri Sumiran Patel C.M.T. Cat I(Fitter) to the post of E.P.H. w.e.f. 12-6-1987 instead of 12-12-1987 with difference of wages is legal and justified? If so, to what relief the said workman is entitled?”

2. Vide order dated 15-3-07, the reference proceeded exparte against workman/Union. No statement of claim has been filed on behalf of workman/Union.

3. The order dated 13-9-07 on the order sheet of this reference reveals that Shri A.K.Shashi, Advocate for management submitted that as the reference is proceeding exparte against the workman/Union, therefore, the management has neither to file any statement of claim nor to adduce any evidence. It is on the request made by the learned counsel for the management the reference was closed for award.

4. It is a case of no evidence by the parties. Therefore the reference deserves to be decided in favour of management and against the workman/Union without any orders as to costs.

5. In view of the above, the reference is decided in favour of the management and against the workman/Union without any orders as to costs holding that the demand of Bhartiya Koyla Khadan Shramik Sangh (BMS) for promotion of Shri Sumiran Patel, C.M.T, Cat.I(Fitter) to the post of E.P.H w.e.f. 12-6-1987 instead of 12-12-87 with difference of wages is not legal and justified. Consequently the said workman is not entitled to any relief.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3175.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 195/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-22012/342/1995-आई आर (सी-II)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3175.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 195/1997) of the Central Government Industrial Tribunal-Cum-Labour Court, Jabalpur, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 03-10-2007.

[No. L-22012/342/1995-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/195/2004

PRESIDING OFFICER : SHRIC. M. SINGH

General Secretary,
 Koyla Mazdoor Sabha,
 Post : Dhanpuri,
 Distt. Shahdol (MP)

Workman/Union

Versus

The Sub Area Manager,
 Chachai group of Mines,
 Post : Amlai colliery,
 Distt. Shahdol (MP)

Management

AWARD

Passed on this 31st day of August, 2007

The Government of India, Ministry of Labour vide its Notification No. L-22012/342/95-IR (C-II) dated 27/7/97 has referred the following dispute for adjudication by this tribunal:-

“Whether the demand of the Koyla Mazdoor Sabha, Sohagpur Area for correction of Date of Birth of Sh. Hardev, Clipman, Navgaon Project, Chachai Group of Mines of SECL, from 1-1-39 to 9-6-44 is legal and justified? If so, to what relief is the workman entitled.”

2. Vide order dated 1-8-05 the reference proceeded exparte against the Workman/Union. No Statement of Claim has been filed on behalf of Workman/Union.
3. The Management filed their Written Statement. The case of Management in brief is as follows:
 That Workman Shri Hardev was initially appointed w.e.f. 16-12-72 as Tub loader. In form 'B' register the age of the workman has been recorded as 28 years as on 01-07-74. The workman has accepted the said entry as a token of correctness of the same. On attaining the age of 60 years on superannuation on 01-07-2006, the workman was issued with a notice of superannuation. The workman never raised any objection with regard to his date of birth recorded in the official record during the period of employment. The action of the management in retiring the workman on attaining the age of 60 years is, therefore, legal proper and justified and he is not entitled to any relief.
4. The management in order to prove their case filed affidavit of Shri B.N. Prasad, then working as Personnel Manager, SECL, Sohagpur Area.
5. I have heard Shri A.K. Shashi, Advocate for the management and considered the evidence on record.

6. The case of the management is fully established and proved by the uncontroverted and unchallenged affidavit of management's witness Shri B.N. Prasad. Against the above there is no evidence of Workman/Union, as the reference proceeded exparte against the Workman/Union. Therefore the reference deserves to be decided in favour of the the management and against the Workman/Union with no orders as to costs.
7. In view of the above the reference is decided in favour of the the management and against the Workman/Union with no orders as to costs holding that the demand of the Koyla Mazdoor Sabha, Sohagpur Area for correction of Date of Birth of Sh. Hardev, Clipman, Navgaon Project, Chachai Group of Mines of SECL, from 1-1-39 to 9-6-44 is not legal and justified. Consequently the workman is not entitled to any relief.
8. Let the copies of the award be sent to the Ministry of Labour and Employment, New Delhi as per Rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3176.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल गेलरी ऑफ माडर्न आर्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली नं. 2 के पंचाट (संदर्भ संख्या 160/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-42012/265/2003-आई आर (सीएम-II)]
 अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3176.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 160/2004) of the Central Government Industrial Tribunal-Cum-Labour Court, No. 2, New Delhi, as shown in the Annexure in the Industrial Dispute between the management of National gallery of Modern Art and their workmen, received by the Central Government on 03-10-2007.

[No. L-42012/265/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT - II, RAJENDRA BHAWAN, GROUND
FLOOR, RAJENDRA PLACE, NEW DELHI
PRESIDING OFFICER: R.N. RAI IDNo.160/2004

PRESENT: SH. VINAY SABBARWAL-1ST PARTY
SH. VIJAY KUMAR-2ND PARTY

IN THE MATTER OF:

Shri J. P. Kashyap,
16/194, I-Bapa Nagar, Pyarelal Road,
Gali No. 3, Karol Bagh,
New Delhi - 110005.

Versus

The Director,
National Gallery of Modern Art, New Delhi

AWARD

The Ministry of Labour by its letter No. L-42012/265/2003 IR (CM-II) CENTRAL GOVERNMENT DT. 3-11-2004 has referred the following point for adjudication.

The point runs as hereunder :

“Whether the action of the management of National Gallery of Modern Art, New Delhi in terminating the services of Shri Jai Prakash Kashyap, S/o. Shri Ganga Prasad, Daily Wage Worker is legal and justified? If not, to what relief the workman is entitled to and from which date.”

The workman applicant has filed statement of claim. In the statement of claim it has been stated that the workman was working as a labour gallery attendant in the National Gallery of Modern Art, Jaipur House, New Delhi. The above named management falls under the Ministry of Human Resources and Development.

That the workman was appointed on daily wage basis in August, 1997 and worked till his termination on 01-06-1999. The workman worked continuously with the management till his termination.

That the management never had any grievances with the workman. On the other hand workman was doing his duty honestly and diligently with the management.

That he had worked with the management for more than 300 days while the days required for the job was 240 days. That the workman continued working with the management during his tenure i.e. August, 1997 to 30th June, 1999 without any leave or vacation.

That the workman to his utter sock and surprise was asked by the Director of the management not to come from 01-06-1999. No valid reasons for the termination of the workman were given despite making requests by him. It is here submitted that the applicant is already enrolled with the employment exchanged vide letter dated 25-09-1998 and 26-11-1998.

That the management has kept two persons for the same post i.e. Shri Hari Singh and Shri Raj Bahadur who are not enrolled with the employment exchange. The management have also regularized these two persons on 04-03-1999, despite the facts that they were general applicants and less qualified than the workman.

That the workman wrote various letters to the Ministry of HRD and the management concerned but no action was taken for the reinstatement of the workman despite having requisite qualification and experience.

That the workman had also filed a writ petition before the Hon'ble Delhi High Court but the same was allowed to

be disposed of in view of the alternative remedy under ID Act, 1947.

That the workman is unemployed from the date of his termination i.e. 01-06-1999. He has no source of income and has a large family to support.

That the present claim of the workman has been filed bonafide and in the interest of justice.

It is therefore, most respectfully prayed that in view of the facts and circumstances of the case and in the interest of justice, this Hon'ble Tribunal/ Court may be pleased to:

- (a) Direct the management to reinstate the workman with full back wages along all consequential benefits.
- (b) Direct the management to regularize the workman.
- (c) Pass such other and further order/orders as this Hon'ble Tribunal/ Court may deem fit and proper in the facts and circumstances of the case.

The management has filed written statement. In the written statement it has been stated that the the applicant was engaged as daily wages labourer for the period from 05-08-1997 to 02-08-1998 and had put in 289 days of service in the National Gallery of Modern Art, as per details annexed as appendix R-1. The averments made by the applicant that he had worked in NGMA w.e.f. August, 1997 to 30th June, 1999 is false and misleading. Further, having put in 240 days of daily wages service does not *ipso facto* make a daily wager eligible for regular employment in the organization. In accordance with the existing orders of Government of India, Department of personnel and Training, casual labourers who have put in minimum 2 years of continuous service, with at least 240 days of service as casual labourer during each of these two years, only are eligible for consideration of regular employment in any organization subject to availability of vacancy. The workman/ applicant has served the organization for 289 days only i.e. 126 days in the year 1997 and 163 days in 1998 and therefore he is not eligible for regular appointment as such.

That the averments made by the applicant that he had worked with the management for a period from August, 1997 to 30th June, 1999 is factually wrong and misleading. Further elsewhere in the statement of claim, the workman has stated that he was retrenched from service with effect from 01-06-1999 which is also contradictory and misleading. The fact of the matter is that the workman was engaged as casual labourer with effect from 5th August, 1997 to 2nd August, 1998 only. Therefore, his claim of having worked in the department from August, 1997 to June, 1998 is totally false. Casual Labourers are engaged only for work of casual and seasonal nature. The applicant was specifically engaged for the work of shifting of library books and furniture etc. and consequent upon the shifting of the Art Library from one block to the other, and the work was completed in the month of July - August, 1998 and since the workman could not be further engaged for want of any other work, his services were retrenched with effect from 02-08-1998 (AN).

That the averments made by the workman is factually incorrect, malignant and devoid of merit and substance. The two workers namely S/Shri Hari Singh and Raj Bahadur were engaged on another specific casual work relating to work shop and exhibitions and they continued to work there since the work they were engaged in were then going on. The averments made by the workman applicant that these persons were less qualified than the applicant is not correct. Shri Hari Singh has been continuously engaged as a casual labourer with effect from 10-12-1993. He has passed std.VIII which is minimum prescribed qualification for appointment of Group "D" post in the Government. Having fulfilled the educational qualification and taking into consideration his continuous services as casual labourer w.e.f. 10-12-1993, he has been appointed as Gallery Attendant (Group "D" post) on occurrence of a vacancy in that Grade w.e.f. 18-02-1999. Shri Raj Bahadur who belongs to SC community, possessing qualification of XII standard and knowledge of typewriting, whose name was registered with the employment exchange in the year 1994 vide No. 764 194 (Copy annexed as appendix R-2) much earlier than the workman who was registered with the employment exchange in 1997 vide no. F/7879/97, was considered against direct quota and was offered the post of Gallery Attendant w.e.f. 18-02-1999 on his merits only.

In view of the above facts mentioned the the preceding paras, the claim of the workman is misleading, false and devoid of any merit and substance.

It is therefore, respectfully prayed that the claim of the workman applicant may be dismissed forthwith with costs primarily due to lack of merit and substance.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record. The management has submitted written argument.

From perusal of the pleadings of the parties the following issues arise for decision.

1. Whether the workman has worked for 240 days prior to termination of his services?
2. Whether the workman is entitled to reinstatement/compensation?
3. To what amount of back wages the workman is entitled?
4. Relief if any?

ISSUE NO. 1.

It was submitted from the side of the workman that the workman was engaged in August, 1997 and he worked up to 30th June, 1999 continuously. He has completed more than 240 days. No notice pay and retrenchment compensation has been paid to the workman. His name was registered in the employment exchange.

It was submitted from the side of the management that the workman has worked for 126 days in 1997 and 163 days in 1998, so the workman has not completed 240 days in any calendar year.

It is the admitted case of the management that the workman was engaged in 1997 and he worked for 289 days in all. He has not completed 240 days either in the year 1997 or in 1998.

It was further submitted that no notice is required for termination of the services of a temporary employee as per service rules. The management has not filed any service rule to the effect that the management is not required to give retrenchment compensation and one month's pay in lieu of notice along with retrenchment order.

It has been specifically mentioned in section 25 B [2(a)] of the ID Act, 1947 that a workman shall be said to be in continuous service if he has worked continuously for 240 days in 12 calendar months with reference to the date of his termination. In the instant case the workman has worked for 289 days from August, 1997 to August, 1998.

It has been provided in section 25 F of the ID Act, 1947 that a workman is entitled to one month's notice or pay in lieu thereof and retrenchment compensation in case year. The workman in the instant case has been in continuous service for one year.

It has provided in section 25 B of the ID Act, 1947 that all the days shall be calculated if the break of the work is not due to any fault on the part of the workman.

The management has admitted that the workman has worked from August, 1997 to 02-08-1998, so he has worked for 12 months. The management has not calculated the period of Sundays, Saturdays and Holidays.

In 2005 SCC 183, 2004 (2) ESC 764, 2005 (4) ESC 2572, 2005 (104) FLR 434, 1992 (64) FLR 978. It has been held that Sundays and Holidays are also to be calculated while accounting 240 days.

In 1985 1 LLJ it has been held that Sundays and Holidays are also to be calculated for continuous service of 240 days.

In view of the judgment of the Hon^{ble} Supreme Court in case Sundays and Holidays are calculated the workman has worked continuously from 1st August, 1997 to 2nd August, 1998.

There is no merit in the contention of the management that the workman should have completed 240 days in the year 1997 & 240 days in 1998. There is no such provision that the working days should be counted from January to December. In Section 25 F the word "one year" has been used and in 25 (b) the term "12 calendar months" has been used.

The workman has to work continuously for one year prior to his termination. This workman has worked for one year i.e. from 01-08-1997 to 2-08-1998 continuously, so in view of section 25 F of the ID Act, 1947 he is entitled to one month's pay in lieu of notice and retrenchment compensation. In view of Section 25 (b) & 2 (a) also he has completed 240 days in 12 calendar months. The argument of the management that the workman should complete 240

days in every year i.e. in 1997 and 1998 appears to be misconceived. The workman has worked for 365 days from 01-08-1997 to 02-08-1998. The law cited by the management is not applicable in the facts and circumstances of the present case.

This issue is decided accordingly.

ISSUE NO. 2.

It was submitted from the side of the bank that reinstatement is not the only relief in all the cases of illegal termination. Section 11A of the I.D. Act, 1947 provides for payment of compensation also.

It was submitted from the side of the workman that compensation is payable in cases where an undertaking has become sick or it has been closed or it is in economic loss. It has not been established that the bank is in economic loss and it is a sick Industry.

In 2000 LLR 523 State of UP and Rajender Singh the Hon'ble Apex Court ordered for reinstatement with full back wages as the services of the daily wager cleaner who worked for 4 years was dispensed with without following the procedure for retrenchment. In the instant case also no retrenchment compensation has been paid. This case law squarely covers the instant case.

It has been held in 1978 Lab IC 1668 that in case service of a workman is terminated illegally the normal rule is to reinstate him with full back wages.

In AIR 2002 SC 1313 the Hon'ble Supreme Court has held that daily wager even if serving for a short period should be reinstated.

It was submitted from the side of the workman that in the instant case Sections 25 F, G of the I.D. Act are attracted. In Section 25 of the I.D. Act it has been provided that if a workman has performed 240 days work and if the work is of continuous and regular nature he should be given pay in lieu of notice and retrenchment compensation.

It has been held by the Hon'ble Apex Court that there is no cessation of service in case provisions of Section 25F are not complied with. In the instant case no compensation has been paid to the workman.

In case a workman has worked for 240 days in a year and the work is of continuous and regular nature he should be paid retrenchment compensation. In case retrenchment compensation is not paid Section 25F of the I.D. Act is attracted. There is no cessation of his services. He is deemed continued in service in the eye of law. In case there is breach of Section 25F the service is continued and reinstatement follows as a natural consequence.

I.D. Act, 1947 has been enacted to safeguard the interest of the workmen belonging to poor segment of society. It appears that legislature wanted that such workmen should not be harassed un-necessarily so Section 25 F, U, T and Clause 10 of Vth Schedule have been enacted. The objects and reasons of ID Act, 1947 show that the respondent management should not be permitted to indulge in any unfair labour practice. The workmen should not be engaged for years and then they should be removed all of a sudden. There is provision of retrenchment compensation is

for removal. Retrenchment compensation is for compensating them so that they can survive long inter-regnum of unemployment. In the instant case no retrenchment compensation has been paid.

It was submitted from the side of the management that the Hon'ble Apex Court in 2006(4) Scale has put down a complete ban on regularization and reinstatement. The Hon'ble Apex Court has held that employment can only be made on the basis of procedure established in that behalf envisaged by the Constitution. Equality of opportunity is the hallmark and the Constitution enshrines affirmative action to ensure that unequals are not treated equals. So public employment should be in terms of constitutional scheme.

It was further submitted that the Constitution Bench Judgment has afforded a right according to which the government is not precluded from making temporary appointments or engaging workers on daily wages.

The Hon'ble Apex Court has not declared the provisions of I.D. Act un-constitutional. The Government has got no licence to make always appointment of daily wagers and to continue them for life time. Fixed term tenure appointments and temporary appointments cannot be the rule of public employment. At the time of making temporary appointments Articles 14, 16, 21, 23, 226 and 309 are infringed. There is no constitutional mandate that the government is at liberty to go on giving fixed term appointments for the entire tenure of service of an employee.

No such Article of the Constitution has been pointed out under which the Government or Public Sector units can continue incessantly to give temporary and fixed term appointments again and again. Since fixed term appointments and temporary appointments are not governed by any constitutional scheme, such discrimination will amount to vicious discretion. The Government of Public Sector unit will go on resorting to the method of pick and choose policy and give temporary and adhoc appointments to their favorites and thus the principles of equality enshrined in the constitution will be given a go bye. Such is not the intent of the Hon'ble Apex Court. However, in this judgment the provisions of the I.D. Act governing the services of the workman have not been declared unconstitutional. Reinstatement is the remedy provided in the I.D. Act for breach of several provisions enumerated therein or for breach of service rules provided in various labour welfare legislations.

Section 11A of the I.D. Act stipulates that in case the Tribunal is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and directs reinstatement of the workman on such terms and conditions, if any, as it thinks fit or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstance of the case may require. According to this benign provision this Tribunal has the authority to set aside the order of discharge or dismissal and reinstate the workman on the terms and conditions as it thinks fit.

Reinstatement should not be misconceived as regularization. By the order of reinstatement the status quo

ante of the workman is restored. He is given back wages in order to compensate him for his illegal disengagement. This is a special remedy provided in I.D. Act and it has not been annulled and set aside by any judgment of the Hon'ble Apex Court. The provisions of the I.D. Act are still constitutional and they are to be given effect too.

The management is at liberty to engage daily wagers but at the time of termination of their services they have to comply with the provisions of Section 25F, G and H of the I.D. Act, 1947. It is not valid to engage daily wagers and to remove them after taking work for 4-5 years. Section 25F postulates one month's pay in lieu of notice and retrenchment compensation.

It has been specifically held in (2006) 4 SCC 1, Uma Devi's case as under :

"Secondly, an ad hoc or temporary employee should not be replaced by another ad hoc or temporary employee; he must be replaced only by a regularly selected employee. This is necessary to avoid arbitrary action on the part of the appointing authority."

The Hon'ble Apex Court also prohibits to replace an ad hoc employee by another ad hoc employee.

The Hon'ble Apex Court has held that once a workman has been engaged as daily wager or ad hoc employee he should be replaced by a regularly selected employee. It is not the case of the management that this workman was replaced by a regularly selected employee. Thus, the management has committed breach of the directions of the Hon'ble Supreme Court as well as Section 25 F, G and H of the I.D. Act, 1947.

In Section 25 F it has been mentioned that the work should be of regular and continuous nature. The main postulates of Section 25F of the I.D. Act, 1947 is that the workman should have worked continuously for one year. It may not be the work of regular nature. If a workman completes one year he is entitled to notice or pay in lieu thereof. The management should have paid the workman 15 days wages and one month's wages in lieu of notice alongwith retrenchment; in that case the workman would not have entered into this unnecessary litigation. The management has to observe the provisions of Section 25 G and H also and the rule of "first come last go" is to be adhered to.

The Industry is being carried on, so it cannot be said that there is no work in view of (2006) 4 Scale (Uma Devi's case). The management cannot replace a daily wager or ad hoc employee by another daily wager or ad hoc employee. Compensation is ordered in cases where undertaking has been closed down. There is no such plea that the industry is not functioning, so there is no question of awarding compensation.

In case the workman is reinstated with back wages the respondents have every right, after payment of back wages and reinstatement, to retrench him validly following the principles of first come last go so that Section 25 G and H of the I.D. Act are not violated.

In view of the law cited above and the facts pertaining in this case, the workman is entitled to reinstatement. The

law cited by the management is not applicable in the facts and circumstances of the present case.

This issue is decided accordingly.

ISSUE NO. 3.

It was submitted by the management that payment of full back wages is not the natural consequence of the order of discharge or dismissal being set aside. It has been held in (2003) 6 SCC 141 that it is incumbent upon the labour court to decide the quantum of back wages.

It has been further held in this case that payment of back wages having discretionary element involved it is to be dealt with the facts and circumstances of the case. No definite formula can be evolved.

It has been further held in this case that payment of back wages in its entirety is the statutory sanction. In (2003) 4 SCC 27 the Hon'ble Apex Court held that in view of delay in raising the dispute and initiating the proceedings back wages need not be allowed. In the instant case there is no delay at least on the part of the workman in raising the dispute.

In 1978 Lab IC 1968 - three Judges Bench of the Hon'ble Apex Court held that payment of full back wages is the normal rule. In case services have been illegally terminated either by dismissal or discharge or retrenchment, in such circumstance the workman is entitled to full back wages except to the extent he was gainfully employed during the enforced idleness. In the instant case the workman was always ready to work but he was not permitted on account of invalid act of the employer.

In 2005 IV AD SC 39 - three Judges Bench of the Hon'ble Apex Court held that reinstatement with full back wages is justified. In this case the workman has performed more than 240 days work and he has been retrenched without payment of compensation and pay in lieu of notice.

It was submitted from the side of the management that reinstatement is not the only remedy. In such cases the workman may be given compensation. Section 11A of the I.D. Act, 1947 provides that in case of dismissal or discharge is found illegal reinstatement should be ordered. It has been held in a catena of cases by the Hon'ble Apex Court that reinstatement with full back wages is the normal rule. The statute provides for reinstatement. In certain exceptional cases where the undertaking has been closed down or it has become sick there may be order for payment of compensation.

The workman is a manual worker. He is not a skilled workman. The workman has not disclosed the source of his livelihood during the period of his unemployment. It is true that he is not employed in any establishment still he must be doing some manual work for his subsistence. The workman has been illegally removed by the management after continuous working of 1 year.

In the facts and circumstances of the case the workman is entitled to 25% back wages only.

This issue is decided accordingly.

ISSUE NO. 4.

The workman applicant is entitled to reinstatement along with 25% backwages.

The reference is replied thus :—

The action of the management of National Gallery of Modern Art, New Delhi in terminating the services of Shri Jai Prakash Kashyap, S/o. Shri Ganga Prasad, Daily Wage Worker is neither legal nor justified. The management should reinstate the workman applicant w.e.f. the date of his termination along with 25% back wages within two months from the date of the publication of the award.

The award is given accordingly.

Date: 28-09-2007.

R. N. RAI, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3177.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 41/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-22012/36/1996-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3177.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 41/1997 of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SECL, and their workmen, which was received by the Central Government on 03-10-2007.

[No. L-22012/36/1996-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/41/97

PRESIDING OFFICER: SHRI C. M. SINGH

Shri Hiralal,

S/o Jujhar,

Vill: Kaskela,

Post: Salka,

Dist: Surguja(MP)

Union/workmen

Versus

The General Manager,

Bisrampur Area of S. E. C. L.,

Post: Bisrampur Colliery,

Dist: Surguja (MP)

Management

AWARD

Passed on this 28th day of August, 2007

The Government of India, Ministry of Labour vide its Notification No. L-22012/36/96-IR(C-II) dated 24-2-97 has referred the following dispute for adjudication by this tribunal :—

"Whether the action of the Sub Area Manager, Jainagar Sub Area of SECL, Bisrampur Area in dismissing Sh. Hiralal S/o Sh. Jujhar Loader, Jainagar 5 & 6 Inclines w.e.f. 16-3-95 is legal and justified? If not, what relief the workman is entitled to?"

2. Vide order dated 13-5-04, the reference proceeded ex-parte against the workman Sh. Hiralal. The Workman failed to file his Statement of Claim.

3. The Management filed their Written Statement. Their case in brief is as follows. That the Workman Sh. Hiralal was working as a loader in Jainagar, 5 & 6 incline, Jainagar Sub Area. He was habitual absentee. A.D.E. was held for his absence from duty without sanctioned leave or sufficient cause or overstaying beyond sanctioned leave. In spite of notice the Workman did not appear before the Inquiry Officer. Hence the Inquiry proceeded ex-parte against him and the Inquiry Officer found that the charges leveled against the Workman Sh. Hiralal were proved beyond doubt. That disciplinary authority i.e. The General Manager, S.E.C.L., Bisrampur Area after careful study approved the punishment of termination of Workman recommended by the Inquiry Officer and consequently the Workman was terminated from the services. His termination is legal and justified and he is not entitled to any relief.

4. As the reference proceeded ex-parte against the Workman, Workman Sh. Hiralal failed to adduce any evidence. Against the above the Management filed affidavit of Sh. A.D.P. Rao, then working as Personal Manager, SECL, Rehar Gayatri, Jainagar Sub Area, Bisrampur Area for proving their case.

5. I have heard Sh. A.K. Shashi, Advocate for the Management. I have very carefully gone through the evidence on record.

6. The case of the Management is fully proved by the uncontroverted and unchallenged affidavit of Management's witness Sh. A.D.P. Rao. The reference, therefore, deserves to be decided in favour of the management and against the Workman with no order as to costs.

7. In view of the above, the reference is decided in favour of the Management and against the Workman with no order as to costs holding that the action of the Sub Area Manager, Jainagar Sub Area of SECL, Bisrampur Area in dismissing Sh. Hiralal S/o Sh. Jujhar Loader, Jainagar 5 & 6 Inclines w.e.f. 16-3-95 is legal and justified. Consequently the workman is not entitled to any relief.

8. Let the copies of the award be sent to the Ministry of Labour and Employment, New Delhi as per Rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3178.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 52/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-22012/136/1991-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3178.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 52/1996) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SECL and their workmen, which was received by the Central Government on 03-10-2007.

[No. L-22012/136/1991-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/52/96

PRESIDING OFFICER: SHRI C. M. SINGH

Shri. G.P. Shanna,
General Secretary,
N.C.W.F.,

Distt. Surguja (MP)-497447

Union/Workman

Versus

The General Manager,
Hasdeo Area of S.E.C.L.,
Post : South Jhagrakhand Colliery,
Distt. Surguja (MP)-497447

Management

AWARD

Passed on this 12th day of September, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/136/91-IR (C-II) dated 14-7-96 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the management of Hasdeo Area of SECL in refusing to absorb/regularise S/Sh. Lalman, Hari Govind, Shobhanath Chakravarthy and Baban Singh is legal and justified? If not, what relief the workmen are entitled to?”

2. Vide order dated 11-3-05 the reference proceeded ex-parte against the Workmen/Union. The Workmen/Union has not filed Statement of claim.

3. Vide order dated 12-9-07 Shri A.K. Shashi, Advocate for management submitted that as the reference is proceeding ex-parte against the Workmen/Union, and they have not filed their Statement of Claim, therefore, the management has neither to file any statement of claim nor to adduce any evidence. It is on his request the reference was closed for award.

4. It is a no evidence case by the parties. Therefore the reference deserves to be decided in favour of management and against the workmen/Union with no orders as to costs.

5. In view of the above, the reference is decided in favour of the management and against the Workmen/Union with no orders as to costs holding that the action of the management of Hasdeo Area of SECL in refusing to absorb/regularise S/Sh. Lalman, Hari Govind, Shobhanath Chakravarthy and Baban Singh is legal and justified. Consequently the Workmen are not entitled to any relief.

6. Let the copies of the award be sent to the Ministry of Labour & Employment, New Delhi as per Rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3179.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली नं. 2 के पंचाट (संदर्भ संख्या 155/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-07 को प्राप्त हुआ था।

[सं. एल-22012/370/2003-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3179.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 155/2004) of the Central Government Industrial Tribunal-cum-Labour Court, No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Food Corporation of India, and their workmen, received by the Central Government on 03-10-2007.

[No. L-22012/370/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, NEW DELHI
PRESIDING OFFICER: R.N. RAI. I.D. NO. 155/2004

IN THE MATTER OF :-

Shri Tikam Singh,
C/o. The General Secretary,
Delhi Pradesh General Mazdoor Kalyan Morcha (Reg)
L-1417, Mangol Puri, New Delhi.

Versus

The Dy. General Manager,
Food Corporation of India,
District Office : Mayapuri,
New Delhi.

AWARD

The Ministry of Labour by its letter No. L-22012/370/2003 [IR (CM-II)] Central Government Dt. 04-10-2004 has referred the following point for adjudication.

The point runs as hereunder :-

"Whether the action of the management in not appointing Shri Tikam Singh, S/o. Shri Bhagchand on compassionate grounds is just and legal ? If not, to what relief Shri Tikam Singh is entitled."

The workman applicant has filed claim statement. In the claim statement it has been stated that the employee Shri Bhagchand, S/o. Shri Sawal Singh was employed with the management at the post of Palledar w.e.f. 16-06-1973 on a monthly salary of Rs. 9000. There was no complaint against him.

That the PF number of the employee is 0316 and the workman has discharged his duties honestly and sincerely.

That when the employee after medical leave went to join his duty on 23-01-1990 he was not taken on duty.

That while the employee was stacking the bags on 31-05-1998 one of the bag fell on his left hand. His left hand was injured and the claim for the same is pending.

That the employee on 18-07-1999 sent a letter by registered post to join duty, the management did not take him on duty and did not make any payment. That a case regarding the same is pending before ALC (C).

The management declared the employee voluntarily retired on 07-07-2001 and assured the workman to take his son on duty before the ALC (C), but the management has not given employment to the applicant despite the assurances. The applicant is out of employment and in case he becomes overage he will not get employment anywhere.

That the management did not agree to the terms of the applicant before the ALC (C), so the present reference has been made.

That the management has not paid any amount to Shri Bhagchand, the employee after his retirement except gratuity.

The management has filed written statement. In the written statement it has been stated that the workman has not come to this Hon'ble Court with clean hands and has concealed the material facts from this Hon'ble Court, hence the industrial dispute is not maintainable in law and is liable to be dismissed.

That there exist no industrial dispute between the parties. The reference without industrial dispute is liable to be dismissed.

That the claimant has no right to employment on compassionate grounds as there are no vacancies. Even the strength of present employees are in surplus. The management has launched voluntarily retirement scheme for controlling the strength to an optimum.

That the present reference is not maintainable in law as the appropriate government has not applied its mind while referring the dispute for adjudication and has referred the industrial dispute to the present court mechanically without appreciating the reply of the management filed during the conciliation proceedings. Hence, the claim of the workman is liable to be dismissed with heavy costs.

That the present Tribunal has no jurisdiction to try and entertain upon present reference. That the claim has not been signed by the workman nor by his authorized representative. That the representing union has no locus standi to file the present reference.

It is submitted that para no. 1 and 2 of the statement of claim as stated are not denied to the extent that the Ex-employee Bhagchand was employed by the management as a palledar. The other details showing wages etc are matter of record and the workman be put to strict proof of the same. It is denied that the ex-employee never gave any chance of complaint to the management.

It is denied that the workman was not kept on work after leave. On the contrary it is submitted that the workman was allowed light duties as per rules before retirement. It is further submitted that the workman Bhagchand was not performing satisfactory in any manner during the period of his employment and had remained absent for a quite longer period without intimation i.e. 23-10-1998 to 18-06-2001.

It is submitted that the workman has already received the compensation under Workman Compensation Act from the competent authority.

It is denied that the workman has sent any demand notice dated 18-07-1999. It is further denied that the management has not paid any amount to the workman. On the contrary it is submitted that the workman has been paid all his retirement dues and compensation as per Workman Compensation Act.

It is absolutely wrong and denied that management has ever assured the workman to employee his son Tikam Chand on the compassionate ground. It is denied that the management shall be responsible for the unemployment of the claimant. On the contrary it is submitted that there were already surplus strength in the management and for that reason management has formulated the voluntarily retirement scheme for curtailing the strength as there was already more strength. The claimant is not at all entitled for employment in management on the basis of compassionate ground.

It is submitted that the management had appraised the conciliation office about the true facts and present

status of the strength of the employees. The conciliation officer has referred the dispute mechanically without considering the reply of the management. The workman has no right to be re-employed on compassionate ground in view of the foregoing discussion.

It is denied that the management has not paid any amount to the workman on his retirement. On the other hand it is submitted that he was paid his entire dues after retirement. He was also given compensation under the Workman Compensation Act, as per law.

It is denied that the management has ever assured the workman to give employment under the management on compassionate ground. When the claimant was never employed with the management, then the question of any responsibility of the management for back wages etc. does not arise at all. It is denied that the workman has right for re-employment.

It is, therefore, most respectfully prayed to this Hon'ble Tribunal that this Tribunal would be please to dismiss/reject the claim of the workman and no dispute award be passed into reference in the interest of justice.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard argument from both the sides and perused the papers on the record.

It was submitted from the side of the claimant that the workman Sh. Bhagchand wrote a letter on 18-06-2001 for his voluntary retirement as per the rules and to take his son at his place. The management by letter dated 09-08-2001 passed the order of the voluntary retirement of the workman and asked him to come with an application for employment of his son, so that necessary actions may be taken. Thus, the management has agreed to take his son and in the light of such assurances the workman Shri Bhagchand the father of the claimant as sought voluntary retirement from the management. The management treated him as voluntary retired but did not give employment to his son.

It was submitted from the side of the management that the workman has raised case for compensation under Workmen's Compensation Act before the Commission. It was agreed before the ALC(C) that in case the workman withdraws his case under workmen's Compensation Act, the son of the workman may be taken at his place, but the workman did not agree to withdraw the compensation claim and he wanted both the benefits so compassionate appointment has not been given to his son.

It is true that compassionate appointment is given if a workman dies in harness or is disabled. In the instant case the workman has alleged that he is disabled, in that case he can request the management to take his son at his place. the workman has filed case under workmen's Compensation Act for getting the entire benefit of his

disability. In case he succeeds he would get the entire emoluments of his service tenure calculated under the Compensation Act.

The workman in the instant case cannot take both the reliefs. In case his father, Sh. Bhagchand gets benefits under the Workmen's Compensation Act then it cannot be said that he is no longer in service. He will get his entire emoluments calculated under the Compensation Act and it shall be deemed that he received all the emoluments of his service tenure in view of his disability. In such circumstances there is no question of compassionate appointment of his son i.e. the claimant, Sh. Tikam Singh.

The stand of the management before the ALC(C) was quite correct. The workman cannot be given entire emoluments calculated under Compensation Act and compassionate appointment to his son, i.e. the claimant, Shri Tikam Singh. The workman, Shri Bhagchand has to withdraw his case and then only his son, Shri Tikam Singh can be given compassionate appointment. He cannot get both the benefits i.e. claim under Compensation Act and compassionate appointment to his son, Shri Tikam Singh at a time.

Compassionate appointment is given to the legal heirs of an employee who is deceased or disabled and no longer continues in service. Under Compensation Act the entire emoluments of a workman is calculated for his entire service as the workman could not continue in service due to his disability during harness. In that case Shri Bhagchand, the father of the claimant, Shri Tikam Singh, will avail all the benefits of his remaining tenure and cannot be said that he ceased from service. The claimant, Shri Tikam Singh can be given compassionate appointment in case his father, Ex-employee withdraws his case filed under the Compensation Act.

The reference is replied thus:—

The action of the management in not appointing Shri Tikam Singh S/o. Shri Bhagchand on compassionate grounds is just and legal. However, in case the father, Shri Bhagchand of the claimant withdraws his claim filed under Compensation Act, Shri Tikam Singh, S/o Shri Bhagchand, would be given compassionate appointment within two months from the date of the withdrawal of the case under the Workmen's Compensation Act.

The award is given accordingly.

Date: 28-09-2007

R. N. RAI, Presiding Officer.

नई दिल्ली, 3 अक्टूबर, 2007

का.आ. 3180.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 201/1998) को

प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-07 को प्राप्त हुआ था।

[सं. एल-22012/342/1997-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 3rd October, 2007

S.O. 3180.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 201/1998) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 03-10-2007.

[No. L-22012/342/1997-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/201/98

PRESIDING OFFICER: SHRI C. M. SINGH

The Branch Secretary,

S.K.M.S., Br. Banki,

PO : Bankimongra,

Distt : Korba (CG),

Banki Mongra

Union/Workman

Versus

The Dy. General Manager,

S.E.C.L., Banki Colliery,

PO : Bankimongra,

Distt : Kobra (CG),

Banki Mongra

Management

AWARD

Passed on this 31th day of August-2007

The Government of India, Ministry of Labour vide its Notification No. L-22012/342/97-IR(CM-II) dated 25-8-98 has referred the following dispute for adjudication by this tribunal:—

“Whether the demand of the Branch President, SKMS (AITUC), Branch-Bankimongra, Distt. Bilaspur (MP), for correction of date of birth in the service records of Sh. P.C. Halder, Mechanical Fitter, Banki Colliery of SECL as 7-3-1950 (7th March, 1950) instead of 1-1-1944 (1st January, 1944) by the management of SECL, Banki Colliery, Bilaspur (MP) is justified? If so, to what relief the workman is entitled?”

2. Vide order dated 14-2-07 the reference proceeded ex-parte against the Workman/Union. No Statement of Claim has been filed on behalf of Workman/Union.

3. The Management filed their Statement of Claim. Their case in brief is as follows. Workman Sh. P.C. Halder

was appointed as General Mazdoor, Cat.-I w.e.f. 23-3-68 and promoted from time-to-time upto Mech. Fitter Cat. - VI. At the time of initial appointment, the Workman declared his date of birth as 1-1-1944 and the same date of birth was filled up in form B register as per declaration given by the Workman. At the time of declaration the Workman did not produce any document in support of his date of birth. The claim of Union for changing the date of birth of Sh. P.C. Halder is based on the I.T.I. Certificate and School Transfer Certificate only which cannot be considered because as per I.I No. 76, only Board's Certificate can be treated as correct and authentic which Sh. P.C. Halder has not produced. As per I.I No. 37 of NCW A-II, a notice was displayed on the notice board on 12-11-81 mentioning the date of birth of the employees on roll at Banki and objection, if any, was invited from them within 90 days. The name of Sh. P.C. Halder appeared at S.L. No. 22. He did not object regarding his date of birth being 01-01-44. He was issued letter dated 23-9-93 to submit his original Education Certificate of H.S.S./Metriculation as per guideline of I.I No. 76 of NCW A-IIIrd but he did not produce the aforesaid certificate. In view of the above, the Workman is not entitled to the relief claimed.

4. The parties have not adduced any evidence. Sh. A.K. Shashi, Advocate for Management submitted that the Management has not to adduce any evidence and requested for closing the reference for award. In view of the above submission made by the learned counsel for the Management the reference was closed for award.

5. It is a no evidence case by the parties, therefore, the reference deserves to be decided in favour of the Management and against the Workman/Union without any orders as to costs.

6. In view of the above the reference is decided in favour of the Management and against the Workman/Union without any orders as to costs holding that the demand of the Branch President, SKMS (AITUC), Branch-Bankimongra, Distt. Bilaspur (MP), for correction of date of birth in the service records of Sh. P.C. Halder, Mechanical Fitter, Banki Colliery of SECL as 7-3-1950 (7th March, 1950) instead of 1-1-1944 (1st January, 1944) by the management of SECL, Banki Colliery, Bilaspur (MP) is not justified. Consequently the Workman is not entitled to any relief.

7. Let the copies of the award be sent to the Ministry of Labour and employment, New Delhi as per Rules.

C. M. Singh, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3181.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी.सी. एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण हैदराबाद के पंचाट (संदर्भ संख्या 96/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-10-07 को प्राप्त हुआ था।

[सं. एल-22013/1/2007-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3181.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.96/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. SCCL and their workmen, which was received by the Central Government on 04-10-2007.

[No. L-22013/1/2007-IR (C-II)]

• AJAY KUMAR GAUR, Desk Officer

IN THE LOK ADALAT

(For settlement of cases relating to CGIT-cum-Labour Court at Hyderabad under Section 20 of the Legal Service Authorities Act, 1987)

Tuesday the Thirty day of August Two Thousand and Seven

PRESENT:

1. Sri K. Ashok Babu, : Presiding Officer
District Judge,
2. Sri A. K. Jayaprakash Rao, : Member
Advocate,

(Constituted U/s 19 of the LSA Act, 1987 by the APSLSA Order ROC No. 186/LSA/2006 dt. 22-8-2006)

In the matter of case No. LCID-96/2005 PLAC. 2/2007
(on the file of CGIT-cum-Labour Court at Hyderabad)

Between :

M. Rama Rao, S/o Shantaiah : Applicant
C/o A. Sarona, Advocate, Flat No. G-7,
H.No. 3-2-844, Ground Floor, Rajeswari
Gayatri Sadan, Opp : Badruka Junior
College for Girls, Kachiguda, Hyderabad.

And

1. The Chief General Manager, M/s. Singareni Collieries Company Ltd., RG-I Area, Godavarikhani, Karimnagar Distt.
2. The Colliery Manager/SOM, GDK-I Incline, M/s Singareni Collieries Co. Ltd., Godavarikhani Karimnagar Distt.

....Respondents

This case is coming up before the Lok Adalat on 30-8-2007 for settlement in the presence of the applicant appearing in person/represented by his counsel, Sri K. Vasudeva Reddy and the Respondent too, being present in person/represented by his counsel, Sri V. R. Balachary

4197 61/07—14

on a perusal of the case record, after considering and hearing the case of both sides and with the consent of both sides, the Lok Adalat has arrived at the following settlement and delivered the following :

AWARD UNDER SECTION 21 OF THE L.S.A. ACT, 1987

The Petitioner having agreed to the detailed proposals of the Management [Clauses (a) to (g)], the contents of which are read over and explained to him in his language and agreed by him by signing the proposal sheet (enclosed to the Award), the Respondent is directed to take him back to duty forthwith as, Badli Coal Filler afresh wherever coal filling is available.

This LCID is disposed of accordingly.

In agreement of the above, the parties/counsel have affixed their signatures/thumb impressions in the presence of the members of this Lok Adalat Bench.

Signature of Applicant (s) Signature of Respondent (s)

Signature of Counsel for Applicant (s)

Signature of Counsel for Respondent (s)

Signature of Members of the Bench.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, HYDERABAD.

LCID NO. 96/2005 PLAC NO. 2/2007

Proposals of the management :

In order to have speedy and effective settlement of the cases before the Hon'ble Tribunal, Management of Singareni Collieries Co. Ltd., agrees to put forth the following proposals :

- a) Absenteeism cases pending before Tribunal as fresh appointment as Badli Coal Filler without back wages and continuity of service subject to medical fitness by Company Board.
- b) At least 100 musters in any of the two years of the preceding 5 years of the dismissal.
- c) Absenteeism apart from pending cases will be considered only for such other cases provided dismissal is on or before 01-06-2006. Cases not filed as on 31-05-2006 will not be treated for consideration on the ground of judicial precedents.
- d) Irrespective of designations appointment will be as BCF afresh on coal filling where coal filling is available and need not be the same place where the workman was last employed.
- e) The observation of one year with minimum mandatory 20 musters every month and review every three months on coal filling only is absolutely essential. In the event of any short fall of attendance

during the 3 months period, the services will be terminated without any further notice and enquiry.

- f) Any forced absenteeism on account of mine accidents/natural disease, treatment taken at Company's Hospitals will be deemed as attendance during the trial period.
- g) All other usual terms and conditions of appointment will be applicable i.e. transfer, hours of work, days of rest, holidays etc., for appointment afresh.

The Hon'ble Members may kindly take note of the above and pass consent award under Section 21 of LSA Act, 1987.

DGM(LAW)HYD

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3182.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हल्दिया रिफाइनरी ऑफ इंडियन ऑयल का. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोलकाता के पंचाट (संदर्भ संख्या 06/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-10-2007 को प्राप्त हुआ था।

[सं. एल-30011/75/2000-आई आर (एम.)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3182.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 06/2001) of the Central Government Industrial Tribunal-Cum-Labour Court, Kolkata now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Haldia Refinery of Indian Oil Corp. Ltd. and their workmen, which was received by the Central Government on 4-10-2007.

[No. L-30011/75/2000-IR(M)]

N. S. BORA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 6 of 2001

Parties : Employers in relation to the management of

L. O. C. Ltd. (Haldia Refinery)

AND

Their workmen

Present : Mr. Justice C. P. Mishra

.....Presiding Officer

Appearance : -

On behalf of the : Mr. N.K. Mehta, Advocate with
Management Mr. S. Sengupta, Advocate

On behalf of the : Mr. J. Panda, General Secretary
Workmen with Mr. R. K. Giri, Secretary of
the Union.

State : West Bengal. Industry : Petroleum

Dated : 17th September, 2007

AWARD

By Order No. L-30011/75/2000-IR (M) dated 9-2-2001 the Central Government in exercise of its powers under Section 10(1) (d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute of this Tribunal for adjudication :

"Whether the action of the management of Haldia Refinery of Indian Oil Corporation Ltd. in imposing punishment of withholding one increment with cumulative effect on Shri Bholanath Kar, Tech. Gr. I (SG) is legal and justified ? If not, to what relief is the said workman entitled ?"

2. This reference has been made at the instance of IOC Ltd. Employees Organisation, Haldia Refinery, hereinafter to be referred as the Union. The case of the union in short is that Shri Bholanath Kar is a bonafide member of the Union which took up his cause for redressal of his grievance against imposition of punishment of withholding of one increment with cumulative effect. The dispute concerning the concerned workman was first referred to this Tribunal in the year vide Reference No. 41 of 1997 and the Tribunal having not been convinced about the espousing union granted no relief to the workman while gave liberty to raise a fresh dispute on the same point through proper union. As such a fresh dispute was raised by the and the present reference has been made. Regarding merits it is the case of the union that departmental enquiry was instituted against the concerned workman by issuing a chargesheet dated 21/26-08-1990 and the Enquiry Officer found him guilty under sub-cause 9 of clause 19 of the Company's Standing Orders. The disciplinary authority imposed the punishment of withholding of two increments with cumulative effect. The appellate authority, however, on the prayer of the concerned workman reduced the punishment to withholding of one increment with cumulative effect. Ultimately, the matter was adjudged by the Tribunal in Reference No. 41 of 1997 and opined that the action of the management against the concerned workman cannot be upheld. But, on the ground of lacuna regarding concerned workman's membership of the union in the said dispute under Section 36 (1) the then learned Presiding Officer preferred not to give any relief to the concerned workman while gave the opportunity to the workman to raise a fresh dispute through a proper union. Relying on the said judgment the union submits that the

Tribunal may now announce the relief to be given to the concerned workman. It is stated that in the departmental enquiry four charges were framed against the concerned workman, but he was found guilty only in respect of one charge i.e. riotous or disorderly behaviour or any act subversive of discipline. In this regard the finding of the Tribunal in the earlier reference has been quoted which is as follows :

"I am not in a position to hold that this finding is enough for holding the concerned workman guilty of the disorderly behaviour on the date of incidenton merits, therefore, the punishment imposed upon the concerned workman on the basis of the enquiry proceeding cannot be upheld."

It is prayed that the punishment imposed upon the concerned workman be directed to be withdrawn and the management be directed to refund the amount so deducted from the workman in this regard.

3. A written statement has been filed on behalf of Indian Oil Corporation Ltd., Haldia Refinery, hereinafter to be referred as the Corporation, denying the claims and contentions of the union. The Corporation has raised certain objections regarding the maintainability of the reference. It is stated that the name of the union has not been mentioned in the preamble of the order of reference and in the absence of the name of any union being a party to the dispute, the purported industrial dispute is wholly misconceived and lost the character of an industrial dispute and as such the present order of reference is bad in law. It is also stated that the union which executed the written statement on behalf of the concerned workman has no *locus standi* and/or authority to espouse the cause of the concerned workman as it has no representative character and as such the reference is vitiated in law and it is liable to be struck down. It is further stated that there is total non-application of mind of the Tribunal in referring such industrial dispute and as such the instant order of reference is bad in law. It is also stated that as the self-same matter was referred for adjudication under Reference No. 41 of 1997 and the Hon'ble Tribunal found there that the reference is bad in law because at the material time when the dispute was sponsored by the union, the concerned workman was not a member of the union, any subsequent induction of member after passing the Award cannot give any jurisdiction and he pretended order of reference is wholly misconceived and bad in law.

Regarding merit it is the case of the management that a valid chargesheet was issued to the concerned workman and a domestic enquiry was conducted in respect of the charges leveled against him as the explanation given by him with regard to the said charges was not satisfactory. The Enquiry Officer found the concerned workman guilty of the charges leveled against him and the Disciplinary Authority considered the records of the enquiry and concerned with the findings of the Enquiry Officer and imposed the punishment of withholding two increments

with cumulative effect. The Appellate Authority, however, on the application of the concerned workman reduced the said punishment to withholding of one increment with cumulative effect. In this connection it is stated that the view taken by the Tribunal in the earlier reference that the action of the management cannot be upheld was without jurisdiction as the said reference was held to be bad in law by the Tribunal itself. It is further stated that since the Tribunal found the earlier reference to be bad in law any observation in the said Award does not bind the present adjudication. It is also stated that the present reference is not in continuation of earlier reference of 1998 and as such it is open for the parties to rely upon the documents separately. It is further case of the management that the enquiry in question is valid and proper in law and the imposition of penalty for charges duly established is fully sustainable. It is accordingly prayed that the present reference be held to be not maintainable and the punishment as imposed upon the concerned workman be held to be justified and the workman concerned be held to be not entitled to any relief.

4. Two witnesses have been examined on behalf of the workmen. The concerned workman has been as WW-1 who has referred to the earlier reference raised by the union on the same point and stated that as per liberty given by the Tribunal in the Award of that reference the present dispute is raised. He has stated that in his deposition in that reference he had stated that he happened to be a member of CITU Union, but actually he was a member of the CITU Union earlier and in 1995 he joined the present union and the present dispute has been raised by this union on his behalf. In cross-examination he has stated that in the earlier reference in course of his evidence he had stated by mistake that he happened to be a member of another union, but he did not make any request in writing to the then Presiding Officer about such mistake. He also did not challenge the said Award before the Hon'ble High Court. He denied that at the relevant time when the aforesaid Award was passed he happened to be a member of another union. He also denied that union has no *locus standi* to espouse his case. He also stated that no document has been filed to show that the union had passed a resolution to take up his case.

WW-2, Jyotirmoy Panda is the General Secretary of the union who is also an employee of the Corporation. He has stated that the concerned workman in the earlier dispute deposed that he was a member of the CITU Union, but he became a member of the union in the year 1995 and following that the case was raised by the union and the same was referred to this Tribunal. He has proved the application of the concerned workman for membership of the union and also certain receipts of the union which were granted to the concerned workman. In cross-examination he has stated that he raised the present dispute before the Regional Labour Commissioner on 6-2-2000. He admitted that the concerned workman was not a member of the union on 21-3-1992 when the order of the appellate authority was

passed. He also stated that the union came into existence in the year 1994 but the registration certificate was received by them in the year 1995 and the union started functioning prior to obtaining the registration certificate. He has not filed the membership register of the union before the Tribunal. He could not remember if the resolution of the union espousing the present dispute has been filed. He has denied that the union has no authority to raise the present dispute and the union is not entitled to raise the present dispute.

5. MW-1, P. Muralidharan the Senior Officer (Employees Relations) of the Corporation is the sole witness for the management in this case. He has stated in his evidence that the union which raised the present reference does not have the representative character, but in Haldia Refinery the representative union is Haldia Refinery Employees Union. He has proved certain documents showing that the RLC (C), Kolkata held a secret ballot election whereby the Haldia Refinery Employees Union secured highest number of votes, i.e. 712 and the present union got only 83 votes and as per Ext. M-2 Haldia Refinery Employees Union is the majority union and the said union is also recognized by the management. According to him the union at whose instance the present reference has been made has no locus standi. In cross-examination the witness has stated that when he joined the Corporation the union was existing, but he has not seen the constitution of the said union. According to him it is the responsibility of the union to supply the names of the office bearers as well as the copy of the constitution. According to him the union must have 10% of the total workforce in the organization or 100 members, but in the year 1999 this union got 7.12% votes as per secret ballot.

6. Both the parties have exhibited some documents. Five documents have been exhibited on behalf of the workmen. Ext. W-1 is the Award dated 1-12-1998 passed by this Tribunal in Reference No. 41 of 1997. Exts. W-2 and W-2.1 are the money receipts of the union dated 12-06-1998 and 30-3-1995 respectively. Ext. W-3 is the application dated 25-3-1995 of the concerned workman for membership of the union. On the other hand management has exhibited 9 documents. Ext. M-1 is the result sheet of the secret ballot. Ext. M-2 is a letter dated 14/16-7-1999 of the Director, Govt. of India, Ministry of Labour to the Senior Human Resources Manager of the Corporation. Ext. M-3 is the office order dated 30-01-2004 of the Corporation. Ext. M-4 is the chargesheet dated 21/26-9-1990. Ext. M-5 is the enquiry report including enquiry proceedings. Ext. M-6 is the order dated 3-3-1992 of the disciplinary authority. Ext. M-7 is the appeal of the workman dated 5-3-1992. Ext. M-8 is the order dated 20/21-3-1992 of the appellate authority. Ext. M-9 is the complaint dated 20-9-1990 of Shri S.H. Chit, Civil Engineer.

7. It appears from the record that after the parties adduced their respective evidence the matter was fixed for argument, but nobody is appearing on behalf of the workman since 23-3-2006, inspite of service of notice and

the matter has been heard as submitted on behalf of the management in this regard challenging the maintainability of this reference on the ground that it is legally not maintainable since the union has no representative character and further has no authority to espouse the cause of the workmen employed in the establishment in this regard.

8. On the perusal of the aforesaid facts in this connection it is found that earlier Reference No. 41 of 1997 on the same facts and claims raised on behalf of the workman had been dismissed by this Tribunal on the ground of non-maintainability. The said reference was held to be bad in law as at the material time when the dispute was sponsored by the union the concerned workman was not a member of the said union. As per submission made by the workman in the written statement in this connection it is evident that according to him due to misunderstanding and failure of his memory he had stated the fact to be otherwise and so the reference was held to be bad and not maintainable and the papers submitted could not be taken up for its consideration at that time while deciding the previous reference in this regard. It has also been stated on his behalf that this reference in fact is only a continuation of the earlier reference on the same point and only point left to be decided further is to ascertain membership question of the concerned workman in this connection Learned Counsel for the management, however, has challenged the aforesaid facts and claims of the workman by submitting that the present reference in no way can be said to be a continuation of earlier Reference No. 41 of 1997 which has been finally disposed of and held to be bad in law and dismissed. Now it is for the parties to rely upon the documents and evidence separately without any such prejudice to the claim of either side including to judge the maintainability of the reference itself in this regard. The workman was already given a liberty to raise a fresh dispute and claim and as such the previous findings and observations made therein about merit have no relevance not any such observation made in the said Award about merit of the case affect the present adjudication proceedings which arise out of an independent and fresh reference by the Government under Section 10 of the Industrial Disputes Act, 1947. It is also submitted that liberty given to the workman to file fresh claim cannot permit him to avail the relief by inducting the workman as a member of the union after the date of the said Award passed by the Tribunal in the earlier Reference No. 41 of 1997 on 1-12-1998 Ext. W-1.

9. On the perusal of the aforesaid facts and submissions made by the Learned Counsel for the management in this connection it is evident that provisions of Section 36 of the Industrial Disputes Act, 1947, hereinafter to be referred as the Act provide the provisions for representation of parties to participate in the proceedings of the reference and the workman who is a party to a dispute is entitled to be represented by either himself or as per provisions of Section 36(1)(a) he may appear through any member of the executive or other office bearer of a registered trade union of which he is a member

and as per clause (b) by any member of the executive or other office bearer of a federation of trade unions to which the trade union referred in clause (a) is affiliated. In this case admittedly the workman is not represented personally, but his claim and dispute have been sponsored by the union on his behalf. Learned Counsel for the management has challenged the status of the union and has raised its objection saying that there is no industrial dispute as such to be raised as no individual workman has raised it nor he has authorised the union to represent his case to raise it on its behalf as it is incumbent upon the union to produce either resolution of the general body of the members of the union or authorization by the individual member whose case they espoused before the Tribunal and in the absence of the same it cannot be said that the union has got any locus standi before the Tribunal to represent his case on his behalf to show it to be an industrial dispute as defined in the Act. It is also submitted that under the provisions of Sections 2(k) and 2A of the Act no doubt if a group of workmen raised a dispute it can constitute industrial dispute within the meaning of the Act, but when the dispute is espoused or sponsored by a union and when the authority of that union is challenged by the employer, it must be proved by production of material evidence before the Tribunal to which such dispute has been referred that the union has been duly authorized by a resolution of its members or that it has the authority to represent the workmen whose case it is so espousing. Mere fact that the said union is registered under the Trade Unions Act is not conclusive proof of its real existence or authority to represent the workman in the reference before the tribunal. In this particular case also it is evidence that from the very beginning the management has raised its objection that the union had no authority to represent the case of the workman. Also, it is neither a case of dismissal or discharge or termination of service of a single workman so that the workman under Section 2A of the Act could have espoused his own personal grievance to make it an industrial dispute. As such, it was very much necessary for the union to have produced materials and also the required documentary evidence to show that it has the requisite authority to represent the concerned workman and it was duly so authorized to espouse the case of the concerned workman in this regard. In the absence of any such material or evidence or a resolution it cannot be said that the union had the capacity or authority to represent the case of the workman so as to make it an industrial dispute and in absence of all these the plea raised on behalf of the management goes at the roof of the matter to judge the maintainability of the reference itself in this connection.

10. The statement given by the concerned workman himself also in this connection goes to show that no document has been filed to show that the union had passed

any such resolution to take-up his case. The witness, WW-2, J. Panda examined to substantiate the case of the workman in this regard also could not show the facts relating to it so as to meet the objections as it has been so raised by the management against the maintainability of the reference to say that the union has no locus standi to espouse the case of the workman for this reference. In cross-examination he stated that he did not remember as to whether the resolution of the union for espousing the present dispute was filed or not. To show it further the membership register of the union is also not filed. It is also stated by him that the chargesheet was issued to the workman in the year 1990 and the appellate authority had passed the impugned order on 21st March, 1992 and at that time the workman was not a member of the union as on that date the union itself was not in existence. The management has also challenged the representative character of the union by submitting that Haldia Refinery Employees Union in fact is the majority union and it is also a recognized union by the management and not the present union which is not a registered union at all. Management, witness, MW-1, Muralidharan has also stated that management did not receive any letter or document from this union to show its locus standi so as to represent the case of the workmen in this regard for this reference.

11. In view of the aforesaid facts and circumstances of the case and evidence led by the parties in this case, the objection raised by the management to raise the plea of maintainability of the reference, it goes at the very root of the matter. The earlier reference was rejected on this very ground and there is nothing fresh or further to show that the union has been able to substantiate its plea to meet the objections raised by the management in this regard. This reference is accordingly bad in law and held to be not maintainable.

12. It is evident that the concerned workman was found guilty of the charge of riotous or disorderly behaviour or act subversive of discipline and the punishment of withholding one increment with cumulative effect was ultimately imposed against him. The union has not adduced any evidence whatsoever regarding the merit of the case and the punishment awarded to the workman of withholding one increment after an enquiry in spite of the fact that this is an independent proceeding and not a continuation of the earlier Reference No. 41 of 1997 which was finally decided and rejected by my learned predecessor on 1-12-1998, Ext. W-1. Since the reference itself is not maintainable and bad in law, the question of any such consideration of the merit of the case of either side is not called for. The reference is accordingly held to be bad in law and not maintainable as such and the workman is not entitled to any relief claimed by him under this reference.

Dated, Kolkata, The 17th September, 2007.

C.P. MISHRA, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3183.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न. -2, नई दिल्ली) के पंचाट (संदर्भ संख्या 13/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-10-2007 को प्राप्त हुआ था।

[सं. एल-12012/132/2005-आई आर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3183.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 13/2006 of the Central Government Industrial Tribunal-cum-Labour Court, No.2, New Delhi as shown in the Annexure, in the industrial dispute between the management of Syndicate Bank, and their workmen, received by the Central Government on 3-10-2007.

[No. L-12012/132/2005-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, NEW DELHI**

PRESIDING OFFICER: R.N. RAI., I.D. No. 13/2006

IN THE MATTER OF:

Shri Gurcharan,
S/o. Shri Sukhi Ram,
C/o. Janjagaran Kamgar Morcha (Regd.),
C - B-280, Ringh Road Narwana,
New Delhi - 110028.

Versus

The Manager,
Syndicate Bank,
Delhi Cantt Branch,
New Delhi - 110001.

AWARD

The Ministry of Labour by its Letter No. L/12012/132/2005-IR (B-II) Central Government Dt. 20.02.2006 has referred the following point for adjudication.

The point runs as hereunder:

“Whether the action of the management of Syndicate Bank in treating Shri Gurcharan, S/o Shri Sukhi Ram to have voluntarily ceased from service by invoking clause 17 of Bipartite Settlement is just and legal? If not, what relief the concerned workman is entitled to.”

The case of the workman, in brief, is that he was illegally voluntarily retired on 01.01.2000 whereas he has not reached the age of superannuation. The workman sent demand notice on 31.07.2003 and thereafter this reference.

The case of the management is that the workman was in the habit of authorized absence. Eight chargesheets were served regarding his unauthorized absence on him and he was given warnings and stoppage of one increment without cumulative effect.

In the present case the workman has been unauthorisedly absent from 17.05.1999. 30 days notice to him was sent for joining duty or for giving satisfactory explanation. The workman did not reply to the notice. He did not report for duty. He was voluntarily retired on 25.09.1999.

The workman has not challenged the order of voluntary retirement. He has not filed any document justifying his absence. There is no documentary evidence on record.

It appears from perusal of the ordersheet that the workman was directed to file affidavit in evidence on 27.04.2007. Last opportunity was given on 28.08.2007. No affidavit has been filed. The opportunity for filing affidavit was closed.

The workman has failed to establish the contents of his claim statement for lack of documentary as well as oral evidence. The workman is not entitled to get any relief.

The reference is replied thus:

The action of the management of Syndicate Bank in treating Shri Gurcharan, S/o. Shri Sukhi Ram to have voluntarily ceased from service by invoking clause 17 of Bipartite Settlement is just and legal. The workman applicant is not entitled to get any relief as prayed for.

The award is given accordingly.

Dated : 24-09-2007.

R. N. Rai, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3184.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण न. -2, नई दिल्ली) के पंचाट (संदर्भ संख्या 92/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-10-2007 को प्राप्त हुआ था।

[सं. एल-12012/17/2003-आई आर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3184.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 92/2003 of the Central Government Industrial Tribunal-cum-Labour Court, No. 2, New Delhi as shown in the Annexure, in the industrial dispute between the management of Punjab National Bank and their workmen, received by the Central Government on 3-10-2007.

[No. L-12012/17/2003-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

PRESIDING OFFICER: R.N. RAI., I.D. No. 92/2003

PRESENT: Shri K.R. Nagpal ... Ist Party
Sh. Ashwani Keshav ... 2nd Party

IN THE MATTER OF:

Shri Kamal Singh,
S/o. Shri Ganga Sahai,
R/o. Village Iqbalpur,
Post Office: Sikandara Rao,
Aligarh (Uttar Pradesh).

Versus

The Chairman,
Punjab National Bank,
Head Office,
7, Bhakaji Cama Place,
New Delhi.

AWARD

The Ministry of Labour by its Letter No. L 12012/17/2003 (IR-B-II) Central Government Dt. 09.06.2003 has referred the following point for adjudication.

The point runs as hereunder:

“Whether the action of the management of Punjab National Bank, New Delhi in terminating the services of Shri Kamal Singh, Ex. Casual worker/part-time w.e.f. 23.02.2001 is just, fair and legal? If not, what relief the concerned workman is entitled to and from which date.”

The workman applicant has filed statement of claim. In the statement of claim it has been stated that the workman was working as a part time sweeper at Punjab National Bank, BO: New Friends Colony, New Delhi on part time basis in leave and other arrangements up to middle of May, 1996 and thereafter I have been working as a part time sweeper and continued to work against a permanent vacancy till February, 2001 without any break at the said office of the bank.

That on 20th February, 2001 the New Friends Colony Branch of the Bank was merged in Maharani Bagh Branch of PNB, including the staff. Since all the staff members were transferred to Maharani Bagh branch of the Bank, I was also transferred along with the rest of the staff members. Hardly I had worked for three days, when my services were summarily terminated and that too arbitrarily without giving me any notice and opportunity, which act was not only illegal, unlawful but also devoid of principles of natural justice. Even the wages for three days were not paid. Termination of services without giving any notice and without giving any opportunity to the employee in terms of principles of natural justice and law of the land was bad in law and not in conformity with the various pronouncements of the Hon'ble Court, including the highest court of the land, i.e. Supreme Court of India.

That from 13th May, 1996 up to 20th February, 2001, I continued to work as part time sweeper against a permanent vacancy when the branch got merged with another office of Punjab National Bank, Maharani Bagh, New Delhi. Thus, you would observe that I worked against a permanent vacancy of a sweeper for almost five years continuously without any break, thereby working against a permanent vacancy each year for more than 240 days, thus, entitling me for permanent absorption in the service of the bank on full time basis as per law of the land and various judgments of the highest Court, Supreme Court of India and that too retrospectively.

That instead of permanently absorbing me in the service of the bank on the basis of my completion of 240 days of continuous service in each of the five years, i.e. from May, 1996 to February, 2001, I was extremely shocked to know when my services were terminated and I and my family were thrown on the road.

That the fact that I have been working continuously for five years since 13th May, 1996 can be verified from the record of the branch, including the salary bill and various other books, maintained at the branch.

That neither any letter, appointing me in the service of the bank nor any letter, terminating my services nor any retrenchment compensation was paid to me at the time of shunting me out of the bank. This act of the management in terminating my services abruptly without giving me any notice I retrenchment compensation was in utter violation of principles of natural justice, law and therefore, unjust and illegal too.

That having failed to get justice at the hands of the management, the matter was taken up with the ALC (C), New Delhi for my permanent absorption in the service of the bank. Since no settlement could be reached between the parties, the conciliation proceedings ended in failure and the Central Government was pleased to refer this dispute to this Hon'ble Tribunal for adjudication.

That the action of the respondent bank in terminating my services arbitrarily is unjust, unfair, illegal and in violation of principles of natural justice, law of the land/ various pronouncements of Supreme Court of India.

That I have not initiated any other proceedings against this unjust, arbitrary and illegal act of the management.

The management has filed written statement. In the written statement it has been stated that there was no employer-employee relationship between the bank and Shri Kamal Singh and accordingly what has been referred to by the appropriate government to this Hon'ble Tribunal cannot be termed as an "Industrial Dispute" as per the law laid down by the Apex Court. Further Shri Kamal Singh cannot ask for regularization of his services with the bank de hors the rules.

That the term "retrenchment" has been defined in Section 2 (oo) of the ID Act, 1947 and sub-clause (bb) of the said Section inter alia provides as under:

"Termination of the service of the workman as a result of non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein."

That it is submitted that in the instant case, Shri Kamal Singh was engaged for the limited period in stop-gap arrangements only and by virtue of Section 2 (oo) (bb) reproduced hereinabove of non-continuance of Shri Kamal Singh in the stop-gap arrangement does not constitute retrenchment and accordingly, there can be no question of any violation of Section 25 F of the ID Act, 1947 as alleged or otherwise.

That Shri Kamal Singh is also not covered under Section 16.9 of the Desai Award which lays down that persons who are casual employees are excluded from the purview of the award.

That Shri Kamal Singh had been engaged in leave / stop-gap arrangement of a part time sweeper at BO: New Friends Colony, New Delhi for a specific period i.e. as and when the regular sweeper had absented from the said office. Since the engagement of Shri Kamal Singh was purely against leave/stop-gap arrangement, discontinuation of the same cannot be termed as retrenchment as defined under the provisions of section 2 (oo) (bb) of the ID Act, 1947 and accordingly, there cannot be any question of violation of Section 25 F or any other provisions of the ID Act, 1947.

That the bank had entered into a conciliation settlement dated 07-05-1994 with All India PNB Employees Federation over the matter of fixation of wages of part time sweepers and related matters. In terms of the provisions of the said settlement, the vacancies of part time sweepers of various offices are identified keeping in view of the

sweeping area of the concerned office as well as hours of work per week to be put in by the part time sweeper eligible for 1/2, 3/4 or full wages arising at the station where the bank has more than one office on account of any reason shall be filled up on the basis of seniority determined by converting the services put in at 1/3, 1/4, 3/4 of the scale wages into full time service. This procedure of filling up the vacancies is to be followed unless "thikana" system is in vogue at that particular area. That the bank rules further provide that till such time a permanent part time sweeper is provided, the branch can make stop-gap arrangements. The persons engaged in such stop-gap arrangement are entitled to a compensation equivalent to same proportion of scale wages but at the initial stage of scale of pay applicable to subordinate staff.

That Shri Kamal Singh used to be engaged at BO: New Friends Colony, New Delhi in stop-gap arrangement for a specific period as and when the regular sweeper used to be on leave/absent. It is further submitted that Shri Kamal Singh had been working in stop-gap arrangement as a part time sweeper at BO: New Friends Colony, New Delhi for the specified period till the posting of a permanent part time sweeper. It is denied that Shri Kamal Singh was ever employed by the bank as a part time sweeper in BO: New Friends Colony, New Delhi. It is reiterated that Shri Kamal Singh was engaged only to clean the branch premises in leave/stop-gap arrangement of a permanent sweeper for which necessary payment was made to him.

That Shri Kamal Singh had been working as a part time sweeper at BO: New Friends Colony, New Delhi for the specified period i.e. as and when the permanent part time sweeper proceeded on leave and also for the specified period till the merger of BO: New Friends Colony with BO: Maharani Bagh, New Delhi.

In view of the above submission made hereinabove it is respectfully submitted that this Hon'ble Tribunal may kindly be pleased to hold the action of the bank in discontinuation of stop-gap arrangement of Shri Kamal Singh is just and proper and that Shri Kamal Singh is not entitled to any relief as prayed for or otherwise.

The workman applicant has filed rejoinder. In the rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement. Evidence of both the parties has been taken. Heard argument from both the sides and perused the papers on the record. From perusal of the pleadings of the parties the following issues arise for adjudication :

1. Whether the workman has worked for 240 days prior to termination of his services?
2. Whether the workman is entitled to reinstatement/ compensation?

3. To what amount of back wages the workman is entitled?

4. Relief if any?

ISSUE NO. 1

It was submitted from the side of the workman that he was engaged as part-time sweeper at Punjab National Bank, BO: New Friends Colony, New Delhi on part-time basis in leave and other arrangements up to the middle of May, 1996 and there after he has been working as a regular part-time sweeper and continued to work against a permanent vacancy till February, 2001 without any break at the said office.

It was submitted that on 20th February, 2001, New Friends Colony Branch of the bank was merged in Maharani Bagh Branch of Punjab National Bank and he was transferred with rest of the staff members but after 3 days, his services were terminated illegally without giving him any notice and against the principles of natural justice.

It was further submitted that the workman worked against a permanent vacancy of sweeper for almost 5 years continuously without any break. The bank did not pay one month's pay in lieu of notice and retrenchment compensation.

It was submitted from the side of the bank that the workman was engaged for a limited period in stop-gap arrangement and by virtue of Section 2 (oo) (bb) his removal does not constitute retrenchment and so there can be no violation of Section 25 F of the ID Act, 1947.

The management has admitted engagement of the workman during leave and stop-gap arrangement when the regular sweeper absented from the said office. In such circumstances the burden shifts on the management to prove that there was a regular sweeper and that regular sweeper went on leave and the workman was engaged from time to time while the regular sweeper was on leave.

The management witness has admitted in his cross examination that in the bank, leave record is maintained. The witness has expressed his inability to say who was the regular sweeper and during that time he was absent. The management witness has failed to state for what specific period the workman has been given engagement. The management has filed photocopies of salary register. Shri Kamal Singh has been mentioned in this register as temporary sweeper.

From perusal of the photocopies of the register it becomes quite obvious that the workman has atleast worked for 36 months as part-time sweeper. The management has stated that the remaining records are not available. The workman has filed photocopy of the seniority list of temporary sweeper as on 01-01-1998. The workman has been shown as the sole temporary sweeper in New Friends

Colony Branch, New Delhi. So from the documents of the management it is amply proved that the workman was engaged as part-time sweeper. Payment to him in the register has been made as part-time sweeper. He was not engaged during leave of any regular employee.

The management witness has failed to state as to who was the regular sweeper. In every branch it is not essential that regular sweepers would be posted. So far as New Friends Colony Branch, New Delhi is concerned the workman has been shown to have been working as part-time sweeper and he has received salary also as a part-time sweeper. The management has failed to prove that the workman was engaged whenever the regular employee went on leave. The workman was engaged alone as part-time sweeper and when New Friends Colony Branch, New Delhi merged with another branch the workman was also transferred along with the entire staff and he was removed after three days.

The management has failed to prove that this workman was engaged when the regular sweeper went on leave. The name of the workman figures as part-time sweeper atleast in 35 months in the salary register filed by the management. The workman has received payment as per photocopy of payment register on 05-01-2000 of Rs. 1933.52. The workman has received salary of Rs. 1848 in September, 1999 as per the photocopy of salary register. In the photocopy of payment register of 1998 Shri Raldu has been shown as PTS and Shri Kamal Singh has also been shown as PTS. The Basic Pay of Shri Kamal Singh has been mentioned as Rs. 1200. It establishes that Shri Kamal Singh was engaged as part-time sweeper, so the management has not been able to prove that the workman was engaged when some regular sweeper went on leave. Payment register amply shows that the workman has been engaged as part-time sweeper.

The workman has worked continuously for the whole year i.e. from 1997 to 2000.

This issue is decided accordingly.

ISSUE No. 2

It was submitted from the side of the management that even if the workman has completed 240 days and his case is taken to be correct he may have given compensation under section 11A of the ID Act, 1947. It is true that in section 11A of the ID Act, 1947 there is provision for reinstatement/compensation.

In the instant case the workman has worked continuously atleast in the year 1997, 1998, 1999 and 2000. It is also correct that the branch where the workman was engaged merged with another branch. In the circumstances, this workman would have certainly become surplus and the management should have considered his seniority vis-a-vis the seniority of the other part-time sweepers and

after payment of retrenchment compensation i.e. 15 days salary for every completed year and one month's pay in lieu of notice should have validly retrenched him. In that case the management could have avoided this un-necessary litigation. The termination of the workman without following the provisions of Section 25 F of the ID Act, 1947 is absolutely arbitrary and illegal.

The Punjab National Bank is still functioning, so it cannot be said that it has been closed down or it has become sick. Compensation is ordered when an undertaking becomes sick or closed down. The industry is functioning. There is sufficient work and this employee can be given work. In case work is not available, the management should consider seniority of this workman and retrench him validly after payment of retrenchment compensation as laid down in Section 25 F and considering his seniority under Section 25 G & H.

In 2000 LLR 523 State of UP and Rajender Singh the Hon'ble Apex Court ordered for reinstatement with full back wages as the services of the daily wager cleaner who worked for 4 years was dispensed with without following the procedure for retrenchment. In the instant case also no retrenchment compensation has been paid. This case law squarely covers the instant case.

It has been held in 1978 Lab IC 1668 that in case service of a workman is terminated illegally the normal rule is to reinstate him with full back wages.

In AIR 2002 SC 1313 the Hon'ble Supreme Court has held that daily wager even if serving for a short period should be reinstated.

It was submitted from the side of the workman that in the instant case Sections 25 F, G of the ID Act are attracted. In Section 25 of the ID Act it has been provided that if a workman has performed 240 days work and if the work is of continuous and regular nature he should be given pay in lieu of notice and retrenchment compensation.

In case a workman has worked for 240 days in a year and the work is of continuous and regular nature he should be paid retrenchment compensation. In case retrenchment compensation is not paid Section 25 F of the ID Act is attracted. There is no cessation of his services. He is deemed continued in service in the eye of law. In case there is breach of Section 25 F the service is continued and reinstatement follows as a natural consequence.

It has been held by the Hon'ble Apex Court that there is no cessation of service in case provisions of Section 25 F are not complied. In the instant case no compensation has been paid to the workman.

ID Act, 1947 has been enacted to safeguard the interest of the workmen belonging to poor segment of society. It appears that legislature wanted that such workmen should not be harassed un-necessarily so Section 25 F, U, T and Clause 10 of Vth Schedule have been enacted. The objects and reasons of ID Act, 1947 show that the respondent management should not be permitted to indulge

in any unfair labour practice. The workmen should not be engaged for years and then they should be removed all of a sudden. There is provision of retrenchment compensation for removal. Retrenchment compensation is for compensating them so that they can survive long interregnum of unemployment. In the instant case no retrenchment compensation has been paid.

It was submitted from the side of the management that the Hon'ble Apex Court in 2006 (4) Scale has put down a complete ban on regularization and reinstatement. The Hon'ble Apex Court has held that employment can only be made on the basis of procedure established in that behalf envisaged by the Constitution. Equality of opportunity is the hallmark and the Constitution enshrines affirmative action to ensure that unequals are not treated equals. So public employment should be in terms of constitutional scheme.

It was further submitted that the Constitution Bench Judgment has afforded a right according to which the Government is not precluded from making temporary appointments or engaging workers on daily wages.

The Hon'ble Apex Court has not declared the provisions of ID Act un-constitutional. The Government has got no license to make always appointment of daily wagers and to continue them for life time. Fixed term tenure appointments and temporary appointments cannot be the rule of public employment. At the time of making temporary appointments Articles 14, 16, 21, 23, 226 & 309 are infringed. There is no constitutional mandate that the Government is at liberty to go on giving fixed term appointments for the entire tenure of service of an employee.

No such Article of the Constitution has been pointed out under which the Government or Public Sector units can continue incessantly to give temporary and fixed term appointments again and again. Since fixed term appointments and temporary appointments are not governed by any constitutional scheme, such discrimination will amount to vicious discretion. The Government of Public Sector unit will go on resorting to the method of pick and choose policy and give temporary and adhoc appointments to their favourites and thus the principles of equality enshrined in the constitution will be given a go bye. Such is not the intent of the Hon'ble Apex Court. However, in this judgment the provisions of the ID Act governing the services of the workman have not been declared un-constitutional. Reinstatement is the remedy provided in the ID Act for breach of several provisions enumerated therein or for breach of service rules provided in various labour welfare legislations.

Section 11 A of the ID Act stipulates that in case the Tribunal is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or

dismissal as the circumstance of the case may require. According to this benign provision this Tribunal has the authority to set aside the order of discharge or dismissal and reinstate the workman on the terms and conditions as it thinks fit.

Reinstatement should not be misconceived as regularization. By the order of reinstatement the status quo ante of the workman is restored. He is given back wages in order to compensate him for his illegal disengagement. This is a special remedy provided in ID Act and it has not been annulled and set aside by any judgment of the Hon'ble Apex Court. The provisions of the ID Act are still constitutional and they are to be given effect too.

The management is at liberty to engage daily wagers but at the time of termination of their services they have to comply with the provisions of Section 25 F, G & H of the ID Act, 1947. It is not valid to engage daily wagers and to remove them after taking work for 4-5 years. Section 25 F postulates one month's pay in lieu of notice and retrenchment compensation.

It has been specifically held in (2006) 4 SCC 1, Uma Devi's case as under:

"Secondly, an ad hoc or temporary employee should not be replaced by another ad hoc or temporary employee; he must be replaced only by a regularly selected employee. This is necessary to avoid arbitrary action on the part of the appointing authority."

The Hon'ble Apex Court also prohibits to replace an ad hoc employee by another ad hoc employee.

The Hon'ble Apex Court has held that once a workman has been engaged as daily wager or ad hoc employee he should be replaced by a regularly selected employee. It is not the case of the management that this workman was replaced by a regularly selected employee. Thus, the management has committed breach of the directions of the Hon'ble Supreme Court as well as Section 25 F, G & H of the ID Act, 1947.

In case the workman is reinstated with back wages the respondents have every right, after payment of back wages and reinstatement, to retrench him validly following the principles of first come last go so that Section 25, G & H of the ID Act are not violated.

It is quite obvious from the findings of the issue No. 1, 2 & 3 that the workman has continuously worked as part time sweeper for 4 years. He has been found legible for reinstatement with 25% back wages.

This issue is decided accordingly.

ISSUE NO. 3

It was submitted by the management that payment of full back wages is not the natural consequence of the order of discharge or dismissal being set aside. It has been held in (2003) 6 SCC 141 that it is incumbent upon the Labour Court to decide the quantum of back wages.

It has been further held in this case that payment of back wages having discretionary element involved. It is to be dealt with the facts and circumstances of the case. No definite formula can be evolved.

It has been further held in this case that payment of back wages in its entirety is the statutory sanction. In (2003) 4 SCC 27 the Hon'ble Apex Court held that in view of delay in raising the dispute and initiating the proceedings back wages need not be allowed. In the instant case there is no delay at least on the part of the workman in raising the dispute.

In 1978 Lab IC 1968 three Judges Bench of the Hon'ble Apex Court held that payment of full back wages is the normal rule. In case services have been illegally terminated either by dismissal or discharge or retrenchment, in such circumstance the workman is entitled to full back wages except to the extent he was gainfully employed during the enforced idleness. In the instant case the workman was always ready to work but he was not permitted on account of invalid act of the employer.

In 2005 IV AD SC 39—three Judges Bench of the Hon'ble Apex Court held that reinstatement with full back wages is justified. In this case the workman has performed more than 240 days work and he has been retrenched without payment of compensation and pay in lieu of notice.

It was submitted from the side of the management that reinstatement is not the only remedy. In such cases the workman may be given compensation. Section 11 A of the ID Act, 1947 provides that in case of dismissal or discharge is found illegal reinstatement should be ordered. It has been held in a catena of cases by the Hon'ble Apex Court that reinstatement with full back wages is the normal rule. The statute provides for reinstatement. In certain exceptional cases where the undertaking has been closed down or it has become sick there may be order for payment of compensation.

The workman is a manual worker. He is not a skilled workman. The workman has not disclosed the source of his livelihood during the period of his unemployment. It is true that he is not employed in any establishment still he must be doing some manual work for his subsistence. The workman has been illegally removed by the management after continuous working of 4 years. In the facts and circumstances of the case the workman is entitled to 25% back wages only.

This issue is decided accordingly.

ISSUE NO. 4

The workman applicant is entitled to reinstatement along with 25% back wages.

The reference is replied thus: —

The action of the management of Punjab National Bank, New Delhi in terminating the services of Shri Kamal Singh, Ex. Casual worker /part-time w.e.f. 23-02-2001 is

neither just nor fair nor legal. The management should reinstate the workman w.e.f. 23-02-2001 along with 25% back wages within two months from the date of the publication of the award.

The award is given accordingly.

Date : 27-09-2007.

R. N. RAI, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3185.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इस्पात लाईम स्टोन क्वारीज, सतना (एम. पी.) के प्रबंधकों के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/133/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-10-2007 को प्राप्त हुआ था।

[सं. एल-29011/16/92-आई आर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3185.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/133/93) of the Central Government Industrial Tribunal/Labour Court Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Ispat Lime Stone Quarries, Satna (M. P.) and their workmen, which was received by the Central Government on 4-10-2007.

[No. L-29011/16/92-IR(M)]

N. S. BORA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/133/93

Presiding Officer: Shri C. M. Singh

General Secretary,
Hindustan Steel Lime Stone Mazdoor Union,
79/10 Krishna Nagar,
Satna (MP)

Union/workmen

Versus

The Manager,
Ispat Lime Stone Quarries,
Satna Babooper,
Distt: Satna(MP)

Management

AWARD

Passed on this 27th day of August, 2007

The Government of India, Ministry of Labour vide
its Notification No. L-29011/16/92/IR(Misc) dated 7th June,

1993 has referred the following dispute for adjudication by this tribunal :—

“क्या प्रबंधकों द्वारा इस्पात लाईम स्टोन क्वारी, बाबूपुर, सतना (म.प्र.) के प्रबंधकों द्वारा इस्पात लाईम स्टोन क्वारी में कार्यरत पीसरेटड श्रमिकों को “प्रोडक्शन बोनस” का भुगतान न किये जाने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित श्रमिकगण किस अनुतोष के हकदार हैं ?

2. According to Statement of Claim filed by the General Secretary, Hindustan Steel Lime Stone Mazdoor Union, Krishna Nagar, Satna (MP) the case of workmen/union is as follows. That the regular employees and officers used to get production bonus and reward from the management of Steel Lime Stone Quarry Babupur, Satna (MP) every month which comes to about Rs. 1000/-. That main role is played by piece rated workmen for the production, but they have not been given production bonus and reward and any kind of benefit. It is prayed that the workmen be awarded bonus and reward. Since the date the regular employees and officers are getting the same.

3. Vide order dated 18-12-06 passed on the order sheet of this reference case, the case proceeded exparte against workmen/union.

4. The management filed preliminary objection to the effect that the particulars given in the statement of claim are vague. That the union has never raised any demand. The plea has also been taken by the management that the reference is vague and is incapable of being replied and hence bad in law. The management has failed to file their Written Statement:

5. As the case proceeded exparte against the workmen/union no evidence has been adduced on behalf of workmen/union. The management has also failed to adduce any evidence in their favour.

6. I have heard Shri R.C. Shrivastava, Advocate for the management.

7. As it is a case of no evidence by the parties therefore the reference deserves to be decided in favour of the management and against the workmen/union with no order as to costs.

8. In view of the above the reference is decided in favour of the management and against the workmen/union with no order as to costs in the following manner.

“प्रबंधकों द्वारा इस्पात लाईम स्टोन क्वारी, बाबूपुर, सतना (म.प्र.) के प्रबंधकों द्वारा इस्पात लाईम स्टोन क्वारी में कार्यरत पीसरेटड श्रमिकों को “प्रोडक्शन बोनस” का भुगतान न किये जाने की कार्यवाही न्यायोचित है। अतः श्रमिकगण किसी अनुतोष के अधिकारी नहीं हैं ?

C.M. SINGH, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3186.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.पी. स्टेट माइनिंग का., राजेन्द्र नगर, सतना के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/55/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-10-2007 को प्राप्त हुआ था।

[सं. एल-29011/23/1994-आई आर (एम)]

एन.एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3186.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. CGIT/LC/R/55/95 of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.P. State Mining Corp., Rajendra Nagar, Satna and their workmen, which was received by the Central Government on 04-10-2007.

[No. L-29011/23/1994-IR (Vividh)]

N.S. BORA, Desk Officer

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/55/1995

PRESIDING OFFICER : SHRI C. M. SINGH

Shri Chandrashekhar Tiwari,
General Secretary,
Satna Stone and Lime Workers Union,
79/10, Krishna Nagar,
Satna (MP) 485 001

Union/Workman

Versus

The Assistant General Manager (Mines),
The M.P. State Mining Corporation,
Sub-Office, Rajendra Nagar,
Satna (MP)

Management

AWARD

Passed on this 31st, day of August, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-29011/23/94-IR (Vividh) dated 2/7-03-95 has referred the following dispute for adjudication by this tribunal :—

“क्या प्रबंधन दी एम.पी. स्टेट माइनिंग कॉर्पोरेशन, सतना के प्रबंधकों द्वारा सर्वश्री राजबहादुर सिंह आत्मज मिथिला सिंह तिवारी, चन्द्रभान आत्मज रामकिशोर तथा रामायण प्रसाद आत्मज रामकिशोर, चौकीदारों को सतना से अन्यत्र स्थानान्तरण किये जाने की कार्यवाही न्यायोचित है?” यदि नहीं तो संबंधित कर्मकारण किस अनुतोष के हकदार है?”

2. Vide order dated 31-07-06, the reference proceeded exparte against the Workman/Union. No statement of Claim filed by the workman/Union.

3. Order dated 27-8-07 reveals that Shri R.C. Shrivastava, Advocate for Management submitted that the reference be closed for ward as he has not to file any Statement of Claim or to adduce any evidence.

4. It is no evidence case. Therefore the reference deserves to be decided in favour of the management and against the workman union without any orders as to costs.

5. In view of the above, the reference is decided in favour of the Management and against the Workman/Union with no orders as to costs in the following manner.

“प्रबंधन दी एम.पी. स्टेट माइनिंग कॉर्पोरेशन, सतना के प्रबंधकों द्वारा सर्व श्री राजबहादुर सिंह आत्मज मिथिला सिंह तिवारी, चन्द्रभान आत्मज रामकिशोर तथा रामायण प्रसाद आत्मज रामकिशोर, चौकीदारों को सतना से अन्यत्र स्थानान्तरण किये जाने की कार्यवाही न्यायोचित है? अतः संबंधित कर्मकारण किस अनुतोष के हकदार नहीं है।”

C. M. SINGH, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3187.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.पी. स्टेट माइनिंग का., राजेन्द्र नगर, सतना के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/5/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-10-2007 को प्राप्त हुआ था।

[सं. एल-29012/44/1994-आई आर (एम)]

एन.एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3187.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. CGIT/LC/R/5/95 of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.P. State Mining Corp., Rajendra

Nagar, Satna and their workman, which was received by the Central Government on 04-10-2007.

[No. L-29012/44/1994-IR (M)]

N.S. BORA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/95

PRESIDING OFFICER : SHRI C. M. SINGH

The General Secretary,
Satna Stone and Lime Workers Union
Satna

Workman/Union

Versus

The Dy. General Manager (Mines),
M.P. State Mining Corporation,
Sub-Office, Rajendra Nagar,
Satna

Management

AWARD

Passed on this 24th day of September, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-29012/44/94-IR(M) dated 16-12-94 has referred the following dispute for adjudication by this tribunal :—

“क्या प्रबंधतंत्र दी एम.पी. स्टेट माइनिंग कॉर्पोरेशन, सतना के प्रबंधकों द्वारा श्री मलकन्दा चौकीदार एवं श्री गणेश सिंह, फील्ड असिस्टेंट को अनावेदक के आदेश क्रमांक स्था./92/119 दिनांक 30-12-92 द्वारा सेवानिवृत्त की जाने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मकार किस अनुतोष के हकदार है?”

2. Vide order dated 31-07-06, the reference proceeded exparte against the Workman/Union. No statement of Claim has been filed by the workmen/Union. Vide paper No. 5 on record, the management informed that at the present, there is no employee's Union concerning the employees of management.

3. Order dated 27-8-07, Shri R. C. Shrivastava, Advocate for Management submitted that the reference be closed for award as he has not to file any Written Statement or to adduce any evidence. Under the above circumstances, the reference was closed for award.

4. It is a case of no evidence by the parties. Therefore the reference deserves to be decided in favour of management and against the workman without any orders as to costs.

5. In view of the above, the reference is decided in favour of the Management and against the Workman S/

Shri Malkananda, Chowkidar and Ganesh Singh, Field Assistant with no orders as to costs in the following manner :—

“प्रबंधतंत्र दी एम.पी. स्टेट माइनिंग कॉर्पोरेशन, सतना के प्रबंधकों द्वारा श्री मलकन्दा चौकीदार एवं श्री गणेश सिंह, फील्ड असिस्टेंट का अनावेदक के आदेश क्रमांक स्था./92/119 दिनांक 30-12-92 द्वारा सेवानिवृत्त की जाने की कार्यवाही न्यायोचित है। अतः संबंधित कर्मकार किस अनुतोष के हकदार नहीं है।”

C. M. SINGH, Presiding Officer

नई दिल्ली, 4 अक्टूबर, 2007

का.आ. 3188.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान पेट्रोलियम का. लि., पानीपत के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-II, चंडीगढ़ के पंचाट (संदर्भ संख्या आई. डी. सं. 27/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04-10-2007 को प्राप्त हुआ था।

[सं. एल-30011/26/2003-आई आर (एम)]

एन.एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th October, 2007

S.O. 3188.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. I.D. No. 27/2004 of the Central Government Industrial Tribunal-employers in relation to the Labour Court-II, Chandigarh now as shown in the Annexure, in the industrial dispute between the management of Hindustan Petroleum Corp. Ltd., Panipat and their workmen, which was received by the Central Government on 04-10-2007.

[No. L-30011/26/2003-IR (M)]

N.S. BORA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, II CHANDIGARH

PRESIDING OFFICER : SHRI KULDIP SINGH

CASE I.D. No. : 27/2004

Registered on : 30-11-2004

Date of decision : 30-4-2007

Pardeep Kumar,
S/o. Shri Mani Ram,
C/o. Shri Karan Singh,
Bhartiya Mazdoor Sangh,
G.T. Road, Panipat

: Petitioner

Versus

The General Manager,
Hindustan Petroleum Corpn. Ltd.,
Baholi, Panipat. : Respondent

APPEARANCE

For the Workman : Mr. Karan Singh, AR
For the Management : Mrs. Anita Ahuja,
Advocate

AWARD

The government of India, Ministry of Labour vide their order No. L-30011/26/2003-IR(M) dated 16th June, 2004 referred the following matter for the adjudication by this tribunal :—

“Whether the action of the Management of Hindustan Petroleum Corporation Ltd. Panipat in terminating the service of Shri Pradeep Kumar S/o Mani Ram, Operator Shillong (RTW) w.e.f. 18-02-2001 is justified and legal? If not, to what relief the workman is entitled?”

After getting the notice of the reference the parties appeared and filed their pleadings which include the statement of the claim, the reply, replication, affidavit of the workman and that of Shri Parvinder Singh Senior Manager of the Management. The workman and Shri Parvinder Singh also appeared as witness in the case. The Parties have also place on record documentary evidence both original and Photo copies they have relied upon.

The claim of the workman is that he was appointed as Operator Shilling (RTW) also placed on record documentary evidence both original and Photo copies they have relied upon. The claim of the workman is that he was appointed as Operator Shilling(RTW) on monthly wages @ 3300/- P.M. and he worked for the Management from 1st of June, 2000 till 17th of Feb, 2001 continuously. Thus he had put in the service of more than 240 days when the Management terminated his services without following the provisions of section 25-F of the Industrial Dispute Act, 1947, hereinafter to be referred to as “Act”. They did not give him notice of termination nor paid the wages for the notice period. He was also not charge sheeted. The Management further violated the provisions of the Act and principles of Natural justice by engaging Shri Rattan Singh in his place They also did not obtain permission from the Government to terminate the services of the workman and thus also violated the provisions of section 25, G, N and O of the Act.

The Management has opposed the claim of the workman. It is stated by them that the workman has not approached this tribunal with clean hands and has not unfolded the true facts. According to them the workman was engaged by a contractor during period in question. He was never engaged by the Management nor he ever worked under their control and supervision. As such there never existed the relationship of employee and employer between them. The petition is also made for mistake by nonjoinder of necessary parties and for that reason also his claim is not maintainable.

On merits the claim of the management is that they had allotted the contract of loading the Wagons to Contractors who carried out whole of the work. During the period June, 2000 to August, 2000 the workman was engaged by Messrs. S.R. Contractors and from Sep., 2000 onwards he was engaged by Shri Sunil Kumar Contractor. The workman had given in writing that he has settled his claim with the Contractor with whom he worked from Sept 2000 to January, 2001. The question of Contractor being un-licensed has lost its relevancy in view of the latest law laid down by the Hon'ble Supreme Court. The Management cannot give the detail of working days of the workman since he had worked under the Contractor. The workman was never engaged by the Management so as the question of violation of provisions of the Act qua the workman did not arise. There is no merit in the claim of the workman, therefore, he is not entitled to any relief.

The workman filed the replication, but did not add anything worthwhile except that the work place of the workman would extend to the place where he was sent to do the job for the Management. He reiterated that he had worked under the Management for which he was issued the experience certificates by the officers of the Management besides the Identity card and his attendance was certified by them.

Admittedly there is no order of appointment produce by the workman to show that he was engaged by the Management as Operator Shilling (RTW) on a monthly wages of Rs.3,300/- and he served them from 1 st June, 2002 to 17th Feb., 2001 continuously. The workman has claimed his engagement on the basis (1) that he was issued I-Card by the Management. He has placed on record photo copies of attendance register pertaining to the months of September 2000 to January 2001. He has also placed on record the photo copies of register showing the salary/ wages having been paid to him for the months of June, September, 2000 and January, 2001. Except this there is no documentary proof, produced by the workman, to show that he was engaged by the Management. As against to it the Management has filed the photo copies of the documents titled as “Field Purchase Order” dated 12th Sep., 2001 comprising of two pages, dated 6th Sep., 2000 again comprising of two pages, materials received report dated 25th March, 2000, Field Purchase Order dated 25th May,

1999, photo copy of salary/wage for October, 2000, September, 2000 each comprising of two pages, attendance register pertaining to July, 2000, August, 2000, September, 2000 and a letter dated 17th Feb., 2001, Marked as M-12. I shall take up the consideration of documents produced by the workman later on so as to find out the veracity of that and its weightage qua the claim made by him in these proceedings.

The workman has produced entry gate pass claiming that since he was the employee of the Management, therefore he was issued the gate pass. He produced the original gate pass and when compared the two, I find that the photo copy is not exactly what the original is, firstly the original gate pass is not signed by any officer of the Management nor it contains the seal of any authority which issued the gate pass. Moreover, in the photo copy there is writing in Hindi comprising of three lines which is not on the original. Except that the gate pass bears a printed name of Hindustan Petroleum there is nothing to show that this entry gate pass was issued to the workman by the Management rather it shows that after getting the entry gate pass photo graphed entry in Hindi was made to show that the Management had admitted engaged the workman from 6th May, 2002 to 31st Dec., 2000; and that his having served for 31 days in January., 2001 was admitted by the Management on the muster roll. It clearly shows that this writing was manipulated later on and who did it is not shown. However, since the photo copy was produced by the workman and the writing goes to his favour, therefore, it has to be taken that the addition to the photo copy of the entry gate pass was made by none else than the workman. Similarly I find there is manipulation done in the attendance register as well. If we examine the attendance register pertaining to Sep., 2000 a photo copy of which is produced by the workman and marked as page No. 5 it reads that four workman had served during the month of Sep., 2000 including Pradeep Kumar S/o Mani Ram. The title of these documents reads that the attendance register pertains to HPCL and it contains the signatures of Senior Operation Officer, Hindustan Petroleum Ltd., Baholi Panipat. Interestingly the Management also produced a photo copy of the attendance register pertaining to Sep., 2000 Annexure R-7, which is a ditto copy to the one produced by the workman. The only difference between the two, I find it with regard to the title. In the copy produced by the Management it reads that the attendance register pertains to Sunil Kumar Contractor whereas the copy produced by the workman reads that the register pertains to H.E.L. Panipat. The workman failed to produce the original of the document a copy of which he has brought on record, saying that the original is retained by the Management whereas the Management proved the photo copy of attendance register of Sep., 2000 which was marked as M-12. The reading of two copies of the same document show that after getting the copy of the attendance register for Sep., 2000

the workman got the name of the contractor Sunil Kumar erased and in its place added the name of HPCL, Panipat and then got it photo stated again so as to show that the copy so prepared has been made from the original and this is possible in this scientific age, therefore, I find that the attendance register pertaining to Sep., 2000, a copy of which is produced by the workman in fact was the copy of attendance register of Sunil Kumar contractor and not of HPCL Panipat as is claimed by him. For this I get support from document M-4 which shows that the contract of handling service at Panipat was allotted to Messrs. Sunil Kumar, handling contractor vide order no.PAN/007/00/OND dated 6th Sep., 2000. The contract was for a period from 1st Sep., 2000 to 31st August, 2001. I am, therefore, convinced that the attendance statement for Sep., 2000, copy of which is produced by the workman is manipulated/ forged, so as to show that the workman had worked for the Management and not for Sunil Kumar, Contractor. Document marked M-9 further supports this view as it shows that Rs. 1673 were paid to the workman as wages for September, 2000. Similar amount was paid to him by M-9 for October, 2000. Documents M-13, M-14, M-17 further show that the payments of wages were made to the workman for the period mentioned therein by SR contractors. There is also the document marked A, on record which is a photo copy and apparently signed by the workman on 17th Feb., 2001. According to this document Pradeep Kumar admitted to have worked with Sunil Kumar contractor and he certified that he had received the payment due to him from the said contractor except the Provident Fund. The Management claims that this writing was given by the workman and against this the workman has shown nothing except simple denied that the document was not executed by him. The signature made on that, however, tally with the one made by the workman in his statement recorded in the Court even to a naked eye.

On record I also find the documents Mark M-2, M-3, M-6, M-7, M-8 which show that the contract of handling was given to Messrs. Sunil Kumar and then to SR Contractors by the Management and as is shown the workman admitted to have received the wages from Shri Sunil Kumar Contractor. There is, therefore, no evidence to show that the workman was engaged by the Management and it was they with whom workman had served ITom I" June, 2000 to 17th Feb., 2001.

In his own statement the workman admitted that he was not given any appointment letter by the Management on order by which the nature of his job was changed. He admitted that the entry on the copy of the entry pass was not in his handwriting and the original does not contain the writing in Hindi. He admitted to have received Rs. 1783/- as wages for June and Sep. He however claimed that he was not paid for 17 days of Feb., 2001. He admitted that he has no proof to show that he was getting Rs. 3300/- as his wages. He claimed that he got the entry

pass issued by Balwan Singh, who had also given him the copies of other record if that is so what was the difficulty with the workman to produce the said Balwan Singh, as witness in the case. He denied the writing on the copy of which is placed on record as Mark-A. Thus I find that the workman has not produced any evidence much less cogent evidence to show that he was engaged as a operator shilling (RTW); and that he had served them from June, 1992 to 17th Sep., 2001. The workman has utterly failed to show that he had put in 240 days of service to the Management 12 months preceding 18th January, 2001 on which day as per his claim his services were terminated by the Management. The evidence available on record rather is to effect that the workman was never engaged by the Management nor they terminated his services. As per record the workman for the two contractors namely Sunil Kumar and SR Contractors during the period in question therefore, his claim that his services were terminated by the Management is baseless. In view of this the reference is answered against him holding that he is not entitled to any relief. Let a copy of this award be sent to the appropriate government.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 5 अक्टूबर, 2007

का.आ. 3189.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय आसनसोल के पंचाट (संदर्भ संख्या 65/204) को प्रकाशित करती है, जो केन्द्रीय सरकार को 05-10-2007 को प्राप्त हुआ था।

[सं. एल-22012/422/2003-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 5th October, 2007

S.O. 3189.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 65/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of Bansra Colliery of Kunustoria Area of M/s. E.C.L. and their workmen, received by the Central Government on 4-10-2007.

[No. L-22012/422/2003-IR (CM-II)]

AJAY KUMNAR GAUR, Desk Officer

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Reference No. : 65/2004

Present :

Shri Md. Sarfaraz Khan, Presiding Officer.

Parties :

The Agent,
Bansara Colliery of Kunustoria Area,
ECL, Ranigang,
Burdwan.

Versus

Sri Rakesh Kumar,
General Secretary,
Koyla Mazdoor Congress,
Asansol, Burdwan.

REPRESENTATIVES:

For the Applicant : Shri P.K. Das,
Advocate.

For the Opposite Party : Sri Rakesh Kumar,
General Secretary,
Koyla Mazdoor,
Congress, Asansol

Industry : Coal.

State : West Bengal

Dated the 18-09-2007

ORDER

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/422/2003-IR(CM-II) dated 03-11-2004 has been pleased to refer the following dispute for adjudication by this Tribunal :

SCHEDULE

“Whether the action of the Management of Bansara Colliery of ECL in Assessing the age in respect of Sri Chandirka Yadav, ignoring his Matriculation Certificate as well as Mining Sirdership Certificate is legal and justified? If not, to what relief an individual is entitled to ?”

On having received the Order No. L-22012/422/2003-IR(CM-II) dated 03-11-2004 of the above mentioned reference from the Govt. of India Ministry of Labour, New Delhi, for adjudication of the dispute a reference case No. 65 of 2004 was registered on 18-11-2004 and accordingly an order to that effect was passed to issue notice through the registered post to the parties concerned directing them to appear in the Court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were issued to the parties concerned. Sri P.K. Das, Advocate and Sri Rakesh Kumar, General Secretary of the Union appeared

in the Court to represent the Management and the Union respectively. But none of the parties their written statements in support of their claims.

From perusal of the record it transpires the case was fixed for filing the written statements by the parties but Union left taking any step on its behalf w.e.f. 10-2-06 to till date i.e. 18-9-2007. Several adjournments were given to the Union to appear in the Court and to take suitable steps on its behalf but neither the Union nor the workman concerned appeared in the Court to take step. It appears that the Union has got no interest in this case and does not want to proceed further with this case. In the prevailing facts and circumstance of the case it is not advisable to keep the record pending any more in anticipation of the appearance of the Union or the workman concerned. As such it is hereby.

ORDERED

that let a "No Dispute Award" be and the same is passed. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

Md. SARFARAZ KHAN, Presiding Officer,

नई दिल्ली, 17 अक्टूबर, 2007

का.आ. 3190.—केन्द्र सरकार रेल अधिनियम, 1989 (1989 का 24) की धारा 136 के अंतर्गत रेल कर्मचारी (कार्य के घंटे और विश्राम की अवधि) नियमावली, 2005 के नियम 4(2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्रम और रोजगार मंत्रालय में अतिरिक्त सचिव श्री एस. कृष्णन को उक्त नियमों के अंतर्गत अपीलें सुनने के लिए अपीलीय प्राधिकारी के रूप में अधिसूचित करती है। यह सरकारी राजपत्र में इसके प्रकाशन की तिथि से प्रभावी होगा।

[फा. सं. जैड-20025/06/2006-सी एल एस-1]

के. एम. गुप्ता, निदेशक

New Delhi, the 17th October, 2007

S.O. 3190.—In exercise of the powers conferred by Rule 4 (2) of Railway Servants (Hours of Work and Period of Rest) Rules, 2005 under Section 136 of the Indian Railway Act, 1989 (24 of 1989) the Central Government hereby notifies Shri S. Krishnan, Additional Secretary in the Ministry of Labour & Employment as Appellate Authority to hear Appeals under the said Rules, with effect from the date of its publication in the Official Gazette.

[F. No. Z-20025/06/2006-CLS-I]

K.M. GUPTA, Director

नई दिल्ली, 16 अक्टूबर, 2007

का.आ. 3191.—केन्द्र सरकार संतुष्ट हो, जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम,

1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का.आ. 1260 दिनांक 20-4-2007 द्वारा युरेनियम उद्योग जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 19 में शामिल है को उक्त अधिनियम के प्रयोजनों, के लिए दिनांक 20-4-2007 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 20-10-2007 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/09/1997-आइ आर (पी.एल.)]

एस. कृष्णन, अपर सचिव

New Delhi, the 16th October, 2007

S.O. 3191.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1260 dated 20-4-2007 the service in Uranium Industry which is covered by item 19 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a Public Utility Service for the purpose of the said Act, for a period of six months from the 20th April, 2007.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a Public Utility Service for the purposes of the said Act, for a period of six months from the 20th October, 2007.

[File No. S. 11017/9/97-IR(PL)]

S. KRISHNAN, Addl. Secy.

नई दिल्ली, 24 अक्टूबर, 2007

का.आ. 3192.—केन्द्र सरकार कर्मचारी रुग्ण बीमा अधिनियम, 1948 (1948 का 34) की उप-धारा (8) में प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र, असाधारण भाग II, खण्ड-3,

उप-खण्ड (ii) दिनांक 9 मार्च, 2004 में प्रकाशित स्थायी समिति का पुनर्गठन करते हुए श्रम और रोजगार मंत्रालय अधिसूचना संख्या सां.आ. 321 (अ) दिनांक 8 मार्च, 2004 में भारत सरकार की अधिसूचना में निम्नलिखित संशोधन करती है :--

उक्त अधिसूचना में "धारा 8 के खण्ड (ग) के अंतर्गत निगम द्वारा चुने गए" शीर्षक के अधीन क्रम संख्या 8 और क्रम संख्या 9 के सामने कर्मचारी राज्य बीमा निगम के निम्नलिखित सदस्यों को कर्मचारी राज्य बीमा निगम की स्थायी समिति के सदस्यों के रूप में पुनः चुना जाता है।

क्र. सं. 8 : श्री शरद एस. पाटिल
महासचिव,
भारतीय कर्मचारी परिसंघ
आर्मी और नेवी बिल्डिंग, 148-एम.जी. रोड,
मुम्बई-400001

क्र. सं. 9 : श्री चन्द्रकान्त खेरे,
संसद सदस्य (लोक सभा)

[सं. यू-16012/03/2004 एस एस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 24th October, 2007

S.O. 3192.—In exercise of the powers conferred by sub-section (8) of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour & Employment Notification No. S.O. 321(E) dated 8th March 2004 reconstituting of the Standing Committee published in the Gazette of India, Extraordinary Part-II Section 3, Sub-Section (ii) dated the 9th March, 2004 :—

In the said notification under the heading 'Elected by the Corporation under clause (c) of Section 8' against S. No. 8 and S. No. 9, the following members of the ESI Corporation are re-elected as members of the Standing Committee of the ESI Corporation.

S. No. 8 : Shri Sharad S. Patil,
Secretary General,
The Employees' Federation of India,
Army and Navy Building, 148-M.G. Road,
Mumbai-400001.

S. No. 9 : Shri Chandrakant Khaire,
Member of Parliament (Lok Sabha).

[No. U-16012/03/2004-SS-I]

S. D. XAVIER, Under Secy.